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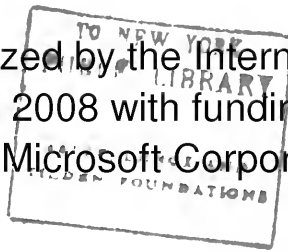
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SECTION XVIII

LECTURES ON THE
UNITED STATES

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*MEETING OF GENERALS GRANT AND LEE PRIOR TO
LEE'S SURRENDER*

MEETING OF GENERALS GRANT AND LEE PRIOR TO
LEE'S SURRENDER

LECTURES
ON THE
GROWTH AND DEVELOPMENT
OF THE
UNITED STATES



Edited by EDWIN WILEY, M.A., Ph.D.
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SERIES TWELVE
LECTURE FIFTY-NINE

The Civil War Period, 1861 — 1865

(Continued)

59. The End of the War and Its Economic and Political Effects

THE UNITED STATES

CHAPTER XXXVIII.

1864.

POLITICAL AFFAIRS.

Chase's desire for the Presidency — The Pomeroy circular — Lincoln's attitude toward Chase — Lincoln's nomination by the Ohio caucus — The Cleveland convention — The renomination of Lincoln and Johnson — Lincoln's acceptance — Chase's hostility to the President and final resignation — The appointment of Fessenden — The reconstruction theories of Sumner and Lincoln — The Wade-Davis bill — The Wade-Davis manifesto.

LINCOLN'S term of office was to expire on March 4, 1865, and in the fall of 1864 an election was to be held to decide whether he should succeed himself or should give way to some one else. Preparations for the nomination were begun in the spring of 1864. Lincoln's political position was quite strong, yet there was considerable disaffection, which had found its head in Secretary Chase whose craving for the Presidency was proverbial and perennial. Chase had repeatedly declared that he was not anxious for that office, but would bow to public sentiment. His private correspondence was permeated with an overweening anxiety for the nomination,* as an instance of which, out of many, witness

the letter he wrote to his son-in-law, Ex-Governor William Sprague, on November 26, 1863, when the administration of Mr. Lincoln had run scarcely two-thirds of its course:

"If I were controlled by merely personal sentiments I should prefer the reelection of Mr. Lincoln to that of any other man. But I doubt the expediency of reflecting anybody, and I think a man of different qualities from those the President has will be needed for the next four years. I am not anxious to be regarded as that man; and I am quite willing to leave that question to the decision of those who agree in thinking that some such man should be chosen." *

In January of 1864 a committee was formed to secure Chase's nomination, and Chase consented to allow his name to be submitted "to the consideration of the people." The movement in Chase's favor culminated in February when the chairman of the committee, Senator Samuel C. Pomeroy, of Kan-

* See, among other references, Warden, *Life of Chase*, pp. 560, 563, 565, 573. Regarding this see also William G. Brown, *Lincoln's Rival in Atlantic Monthly*, vol. lxxxix., pp. 226-236.

* Schuckers, *Life of Chase*, p. 494.

sas, issued a circular advocating the nomination of Chase.* Late in February the Pomeroy circular appeared in one of the Washington newspapers,† whereupon Chase wrote to Lincoln stating that he had no knowledge of the existence of the letter before seeing it in print, and frankly explaining his connection with the Pomeroy committee. He thought this explanation due to Lincoln, and asked him to state if his action would prejudice the public interests under his charge.‡ Lincoln had long known of Chase's candidacy, but he took no notice of it, saying that Chase made a good Secretary and he should keep him where he was; that if he should become President, all right, and that he hoped the country would "never have a worse man."§ Accordingly, in answering Chase's letter, he said that he was not influenced in any way by politics and that no assault had been made upon Chase at his instigation or with his countenance.¶ Chase had regarded the support of Ohio as essential to his candidacy, but asserted that if the majority of the people of the State expressed a preference for another he would cheerfully

acquiesce in their decision.* This preference was indicated on February 25, when the Union members of the Ohio legislature held a full caucus and declared for the renomination of Lincoln. Hence, on March 5, 1864, Chase wrote to James C. Hall that as the Union members of the legislature had selected another standard bearer it became his duty to request that no further consideration be given to his name.†

The declaration by the Ohio caucus was only one of many similar indications of Lincoln's popularity.‡ But there were also numerous manifestations of hostility to his renomination. After the abortive Pomeroy circular the action of Lincoln's opponents took shape in an attempt to postpone the National convention. Among his opponents were many influential men, such as Henry Wilson, of Massachusetts, George W. Julian, Thaddeus Stevens, Horace Greeley, William Cullen Bryant, and many Representatives and Senators. Lincoln, however, was so confident of his hold on the people that he was not disturbed by the opposition, feeling sure that he would receive the nomination of his party.¶ His opponents, however, made one last effort to prevent the nomination. A call was issued for a mass meeting of the people at Cleveland, Ohio, on

* See Nicolay and Hay, *Life of Lincoln*, vol. viii., pp. 318-321.

† Schuckers, *Life of Chase*, pp. 499-500. See also Hart, *Life of Chase*.

‡ Nicolay and Hay, *Life of Lincoln*, vol. viii., p. 321; Warden, *Life of Chase*, p. 574; Schuckers, *Life of Chase*, pp. 500-501.

¶ Nicolay and Hay, *Life of Lincoln*, pp. 316-317.

§ Warden, *Life of Chase*, p. 575; Nicolay and Hay, *Life of Lincoln*, vol. viii., p. 322; Schuckers, *Life of Chase*, pp. 501-502.

* Warden, *Life of Chase*, pp. 560-573.

† Schuckers, *Life of Chase*, pp. 502-503.

‡ See Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 52 *et seq.*

¶ Rhodes, *United States*, vol. iv., pp. 461-463.

May 31, a week before the assembling of the Republican convention at Baltimore. At the appointed time and place, a few hundred men gathered, adopted a platform, and nominated John C. Frémont and General John C. Cochrane, of New York.* The convention might have passed by practically unnoticed had it not been for the Democratic newspapers which violently magnified its importance. On the other hand, the Republican press received the work of this convention in the spirit of derision, and Lincoln himself was much amused by its proceedings. On receiving an account of it Lincoln is said to have opened his Bible and read the following words: "And everyone that was in distress, and everyone that was in debt, and everyone that was discontented gathered themselves unto him; and he became a captain over them: and there were with him about four hundred men."† Late in the summer both Frémont and Cochrane withdrew their names from the Cleveland ticket.

As the day for the convention at Baltimore approached, the President was besieged with solicitations to make known his wishes regarding the work before it. To all such inquiries he turned a deaf ear, declining in any way to interfere with or influence the proceedings of the convention. The delegates met on June 7, 1864, and

after the permanent organization of the convention was effected the platform was reported by Henry J. Raymond, of New York. The first resolution pledged the members and all Union men to support the Government in subduing the Confederacy; the second approved the determination of the Government not to make any compromise with the Confederates; the third called for the extirpation of slavery and an amendment to the Constitution to that effect; the fourth thanked the soldiers and sailors; the fifth applauded the policies, measures and patriotism of Abraham Lincoln; the sixth urged the need of harmony in the National councils; the seventh affirmed that the Government was bound to protect all those in its service without regard to color; the eighth urged the fostering of foreign immigration; the ninth favored the speedy construction of the Pacific railroad; the tenth declared the necessity for rigid economy in the public expenditures, and that the National faith pledged for the redemption of the public debt must be kept inviolate; and the eleventh approved the Monroe Doctrine.* These resolutions were adopted with great unanimity and then the nominations were made. Every State gave its undivided support to Lincoln, with the exception of Missouri, which, under positive in-

* Stanwood, *History of Presidential Elections*, pp. 237-239.

† Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 40-41; Rhodes, *United States*, vol. iv., p. 464.

* For text of the platforms see Stanwood, *History of Presidential Elections*, pp. 239-241; McDowell, *Platforms of the Two Great Political Parties*, pp. 21-24.

structions, cast its vote for Grant. Before the result was announced, however, one of the delegates moved that the nomination of Lincoln be declared unanimous. This could not be done until the result of the balloting was made known. The first ballot showed 484 votes for Lincoln and 22 for Grant. Missouri then changed its vote, and the secretary announced the grand total of 506 for Lincoln. There were several candidates for the nomination for the Vice-Presidency, among them being Hannibal Hamlin, of Maine, Andrew Johnson, of Tennessee, and Daniel S. Dickinson, of New York. When the first ballot was counted it was found that Johnson had received 200 votes; Hamlin, 150; and Dickinson, 108; the other votes were scattered among various other candidates. Before the result was announced, however, almost the whole convention turned their votes to Johnson, and on motion the nomination was declared unanimous.* The next day the President was informally notified of his nomination, and replied that he "could not conceal [his] gratification, nor restrain the expression of [his] gratitude" that he had been deemed worthy to remain in the Presidential office. "I do not allow myself," he said, "to suppose that either the convention or the league have concluded to decide that I am either the greatest

or the best man in America, but, rather, they have concluded it is not best to swap horses while crossing the river, and have further concluded that I am not so poor a horse that they might not make a botch of it in trying to swap."*

Meanwhile relations between Lincoln and Chase had not been of the most cordial character. In December of 1862, as we have seen, Chase had offered his resignation but Lincoln had not accepted it and the Secretary returned to his duties. A little more than two months afterward a difference occurred over the appointment of an internal revenue collector in Connecticut, but this difficulty was patched up and again Chase retained his office. Later, trouble arose over a collector of customs at Puget Sound, and as Lincoln insisted upon having his own way Chase again tendered his resignation. This time, however, Lincoln compromised the matter and told Chase to think no more about his resignation. Early in 1864 Lincoln desired to make a change in the New York customs house, as many complaints of irregularity and inefficiency had been received. Chase opposed such action and seems to have gained his point, for the collector was not removed nor did he resign, but ill repaid Chase's confidence later, by embezzling a large sum of public

* Stanwood, *History of Presidential Elections*, pp. 240-242; Nicolay and Hay, *Life of Lincoln*, vol. ix., chap. iii.; Rhodes, *United States*, vol. iv., pp. 469-470.

* Lincoln, *Complete Works*, vol. ii., p. 532. See also McPherson, *History of the Rebellion*, p. 408; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 75-76.

money and by fleeing in disgrace from the country.*

On April 23 Francis P. Blair, Jr., of Missouri, brother of Postmaster-General Blair, made an attack in the House on Chase's integrity. Blair charged that Chase had sacrificed a vast public interest to advance his ambition by prescribing trade regulations with the South in a way to provide a fund which would secure his own nomination for the Presidency. Blair read several private letters supporting this accusation and also a communication from the head of a banking institution in New York City in which the charge was made that Chase had given his son-in-law, Governor Sprague, "a permit to buy cotton at the South by which Sprague would make \$2,000,000," and that Chase had allowed Jay Cooke and Company, the financial agents of the Government, an extra large commission in the disposal of the 5-20 bonds.† Chase might have disregarded this attack had not Lincoln apparently indorsed Blair's words by restoring him to his command in the army as major-general of volunteers. Chase held that this act made the President an accomplice in Blair's offence, but Lincoln disavowed any design of thus wounding Chase.‡

* For divergent accounts see Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 85-87; Schuckers, *Life of Chase*, p. 477 *et seq.*

† This was denied in the House by John Sherman. See *Globe*, pp. 1046-1047.

‡ Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 79-81; Schuckers, *Life of Chase*, p. 480; Rhodes, *United States*, vol. iv., pp. 476-477.

In the summer of 1864, after Lincoln had been renominated, the strained relations between Lincoln and Chase came to a head. Mr. John J. Cisco, who held the office of assistant treasurer in New York City from the beginning of President Pierce's term, had expressed a desire to retire because of ill-health, but had been persuaded to remain. In May of 1864, however, he sent in his resignation to become effective on June 30 following. The second resignation could not be declined and a successor was sought. As it was an important post a man of special capacity ought to have been selected for the office and, as politics to a great extent entered into the matter, it was desirable that the wishes of the New York Senators be regarded. Senator E. D. Morgan, of New York, suggested three men for the post but they were unsatisfactory to Chase. The latter in turn offered the names of three gentlemen, who declined, and he then resolved to designate M. B. Field, one of the assistant secretaries of the Treasury. This suggestion was opposed by Morgan but Chase would not recede nor could the two compromise upon a third party. On June 28 Lincoln sent Chase a note in which he expressed his reluctance to nominate Field because of Morgan's opposition. In the meantime Chase had induced Cisco to withdraw his resignation, which should have ended the difficulty, but Chase took umbrage at Lincoln's assertions that the wishes of Morgan should be

consulted in the appointment and, on June 29, resigned his office. On the 30th Lincoln accepted the resignation, and this ended Chase's career as Secretary of the Treasury.*

The same day Lincoln sent to the Senate the nomination of David Todd, of Ohio, as Secretary of the Treasury. The Senate Committee on Finance, however, protested against Todd as being too little known and too inexperienced for the place, and the President was relieved of any embarrassment when Todd, that very evening, declined the appointment on the ground of ill-health. The next day, July 1, Lincoln sent to the Senate the nomination of William Pitt Fessenden, Senator from Maine. While this message was being read in the Senate Fessenden was urging upon Lincoln the nomination of Hugh McCulloch. Lincoln informed him that he had already sent his (Fessenden's) nomination to the Senate, whereupon Fessenden asserted that he could not accept it. Lincoln replied: "If you decline you must do it in open day, for I shall not recall the nomination."† The nomination was promptly con-

firmed and the appointment was generally approved.

Meanwhile, as we have seen, Lincoln had taken a few definite steps toward reconstruction by appointing military governors for the Southern States then under Union control. Sumner had already formulated his doctrine of State suicide as a definition of the status of the seceded States.* Sumner maintained that the Southern States by the act of rebellion had destroyed their corporate existence as self governing commonwealths and at the same time all legal basis for local institutions. He claimed that Congress had the same power over the Southern States which it had over the Territories; that Congress possessed the power and right to organize new States out of the territory embraced in the Confederate States without regard to their present limits or names; and that Congress had also the right and power to determine the racial, social, political, religious, economic and other conditions therein.† Lincoln did not deem it

* Schuckers, *Life of Chase*, pp. 483-487; Warden, *Life of Chase*, p. 605 *et seq.*; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 91-95; Rhodes, *United States*, vol. iv., pp. 478-480. For letters relating to the different appointments and to Chase's resignation see Schuckers, *Life of Chase*, pp. 489-510.

† Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 99. See also Francis Fessenden, *Life and Public Services of W. P. Fessenden*; William Salter, *William Pitt Fessenden*, in *Annals of Iowa*, series iii., vol. viii., pp. 321-343 (1908).

* Resolutions of February 11, 1862 (*Globe*, pp. 736-737), and December 4, 1865 (*Globe*, p. 2); speech of December 20, 1865 (*Globe*, p. 92). See also Pierce, *Memoir and Letters of Charles Sumner*, vol. iv., pp. 72-75, 268 and footnote; Moorfield Storey, *Charles Sumner*, pp. 217-219, 302, 307; A. L. Daves, *Charles Sumner*, pp. 182-185, 239-242. See also Sumner's article, *Our Domestic Relations, or How to Treat the Rebel States*, in *Atlantic Monthly*, vol. xii., pp. 518-526 (October, 1863). See also biographies of Sumner by A. H. Grimké, George H. Haynes (1910) and W. G. Shotwell (1910).

† In this connection see Dunning, *Essays on the Civil War and Reconstruction*, p. 105 *et seq.*

necessary to deny or affirm Sumner's theory, for he considered that the discussion as to whether a State had been out of the Union was academic, vain and profitless. In his proclamation of amnesty and reconstruction issued on December 8, 1863, and in his message of the same day to Congress, he outlined his plan of reconstruction, stating that whenever 10 per cent. of the qualified voters according to the election laws existing before secession should take an oath of fealty to the Constitution and promise to abide by the acts of Congress and by the President's proclamations respecting slaves and should reestablish a State government republican in form and in no wise contravening said oath, they should be recognized as the true government of the State.*

While a large number of the members of Congress approved of this message,† it met opposition from the extreme radicals, which did not, however develop in Congress for some time after the reading of the message. The beginning of opposition was started by Henry Winter Davis who moved that the passages in the message relating to reconstruction should be sent to a special committee of which he himself was chairman, and from this committee on February 15, 1864, came a bill requiring a majority of

the white male citizens to constitute the new State and exacting that the State constitution should prohibit slavery forever. This bill provided also for the election of State officers and of Representatives to Congress practically taking the work out of the President's hands and placing it under Congressional supervision.* On March 22 Davis supported his bill in an energetic speech. He said that Congress alone had the power to revive the National laws in the Southern States and that until Congress recognized a State government organized under its auspices there was no government in the Confederate States except the authority of Congress. There were only three ways of bringing about a reorganization. One was to remove the cause of the war by the prohibition of slavery, but this did not meet with his approval; the next was the President's amnesty proclamation which he denounced as utterly lacking in all the guarantees required; and the third was the plan outlined in his bill for which he made a powerful plea.

The bill was extensively debated in the House and on May 4 was passed by a vote of 73 to 59. It was called up in the Senate by Benjamin F. Wade, of Ohio, who, in supporting it, used much the same argument advanced by Davis in the House. After amendment the bill was returned to

* For the proclamation and message see Richardson, *Messages and Papers*, vol. vi., pp. 189-191, 213-215. See also Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 104-108.

† For some expressions of approval see Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 109 *et seq.*

* C. E. Chadsey, *Struggle between President Johnson and Congress over Reconstruction*, in *Columbia University Studies in History, Economics and Public Law*, vol. viii., No. 1, pp. 18-20.

the House, but that body declined to concur in the Senate amendment and asked for a committee of conference. The Senate then recessed from its amendment and on July 4 gave its assent to the bill. Lincoln declined to sign it because he doubted that Congress had authority to act with regard to slavery. A Senator stated that the President himself had prohibited slavery, whereupon Lincoln replied: "I conceive that I may in an emergency do things on military grounds which cannot be done constitutionally by Congress." The Senator afterward asserted to the members of the Cabinet who were with him: "I do not see how any of us can deny and contradict what we have always said, that Congress has no constitutional power over slavery in the States." After full deliberation Lincoln concluded that the bill was too rigid and too restrictive in its provisions to accomplish the work desired. However, being unwilling to reject whatever of practical good might be effected by it, he resolved, a few days after Congress had adjourned, to allow the people to choose from among the methods proposed. Accordingly on July 8 he issued a proclamation stating that he would recognize any State organized under the provisions of the Wade-Davis Bill.*

The great mass of the Republican voters regarded Lincoln's proclamation as the wisest and most practical method of handling the question, but the indignation of the extreme radicals at seeing their work brought to nothing could not be restrained. On August 5 Wade and Davis published a protest addressed "To the Supporters of the Government," bitterly attacking the President. They stated that the President's act was "rash and fatal" that the "authority of Congress is paramount and must be respected; that the whole body of Union men of Congress would not submit to be impeached by him of rash and unconstitutional legislation" and that he must "confine himself to his executive duties—to obey and execute not make the laws. * * *

If the supporters of the government fail to insist on this they become responsible for the usurpations which they fail to rebuke, and are justly liable to the indignation of the people whose rights and security, committed to their keeping, they sacrifice. Let them consider the remedy of these usurpations, and, having found it, fearlessly execute it.'"

tions of Forty Years in the House, Senate and Cabinet, vol. i., pp. 359-361; Blaine, *Twenty Years of Congress from Lincoln to Garfield*, vol. ii., pp. 41-44; Curtis, *Constitutional History*, vol. ii., pp. 348-349; McCarthy, *Lincoln's Plan of Reconstruction*.

* See E. G. Scott, *Reconstruction during the Civil War*, pp. 274-305 and for text pp. 412-425. The text will be found also in Appleton's *Annual Encyclopedia* for 1864, pp. 307-310. Excerpts will be found in Rhodes, *United States*, vol. iv., p. 487 and in Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 125-127.

* Richardson, *Messages and Papers*, vol. vi., pp. 222-223; Lincoln's *Complete Works*, vol. ii., p. 545; Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 123. See also Burgess, *Reconstruction and the Constitution*, pp. 15-19; John Sherman, *Recollections*.

CHAPTER XXXIX.

1862-1865.

NAVAL OPERATIONS.

Adams' unavailing protest at the building of the *Florida* — The course of the British ministry in the case of the *Alabama* — The capture of the *Florida* by the *Wachusett* — The cruise of the *Alabama* and her destruction by the *Kearsarge* — Farragut's victory at the battle of Mobile Bay — The capture of Forts Gaines and Morgan — The surrender of Mobile.

Early in February of 1862 the American minister at London, Charles Francis Adams, called the attention of Earl Russell to the fact that a steam gunboat called the *Oreto* (afterwards the *Florida*) was being built in a Liverpool shipyard for the service of the Confederate government.* Russell answered that the vessel was intended for use in Sicily and that there was no good reason to suppose that she was meant for any service hostile to the United States. Adams furnished evidence to show that the claim of being designed for Sicilian service was a mere pretext, but he could not induce Earl Russell to take any steps for the detention of the vessel. Late in March of 1862, the

Florida was permitted to leave the harbor without interruption, her clearance papers being adroitly made out for the island of Sicily. Once upon the high seas, however, the vessel changed her course and went to Nassau where the authorities were favorable to the Confederacy. The evidence of the *Florida's* character was so conclusive that in spite of their disinclination to perform the duty, it was impossible to avoid the seizure of the vessel. Judicial proceedings were instituted for her condemnation but she was released, made her way to Mobile in September, and at the close of the year set forth as a privateer under command of J. N. Maffit.*

Meanwhile a more serious violation of the friendly obligations of England had taken place. On June 23 Adams notified Earl Russell that a powerful war vessel called the "290" was under construction at Liverpool and was nearly ready for departure. One of her owners was Mr. Laird, a member of Parliament, who had

* On Adams' services abroad see Charles Francis Adams, Jr., *Life of Charles Francis Adams* (1900). On England's attitude in general see Thomas C. Grattan, *England and the Disrupted States of America*; Montague Bernard, *Historical Account of the Neutrality of Great Britain during the American Civil War*; Goldwin Smith, *England and the War of Secession*, in *Atlantic Monthly*, vol. lxxxix., pp. 303-311 (1902); Rhodes, *United States*, vol. iv., chap. xxii. Much of the history of the *Florida* and *Alabama* is given in the documents relating to the *Alabama* claims which will be spoken of later.

* Nicolay and Hay, *Life of Lincoln*, vol. vi., pp. 51-52; Rhodes, *United States*, vol. iv., pp. 80-81.

agreed with the Confederate government to build the vessel at Birkenhead on the Mersey at a cost of \$250,000. The facts presented by Adams were referred to the Lords' Commissioners who reported in due time that while it was apparent that the vessel was intended for a ship-of-war and was to be sent to some foreign government, there was not sufficient evidence of her destination to warrant detention. Adams then ordered the American consul at Liverpool, Mr. Dudley, to secure all the evidence possible and to submit it to the collector of the port. This was done but the British authorities still claimed that the evidence was insufficient to detain the vessel.* Adams then sent the affidavits, the opinion of a Queen's counsel which he had obtained, and many other papers relating to the case to Earl Russell. These papers were submitted to the law officers of the crown on July 23 and July 26. Sir John Harding, then the Queen's advocate, had been ill and incapacitated for business for some time, and not until July 28 were the papers in the case given attention by the proper officials. On that day the attorney-general and solicitor-general examined the papers and in a report the next day recommended that the *Alabama* be seized at once. It was then too late for under pretense of a trial trip the "290" had left her moorings and had gone

to sea. When the injunction reached Liverpool she was still on the Welsh coast only 50 miles from Liverpool. Even then the most ordinary energy on the part of the London and Liverpool authorities would have effected her apprehension, but so slowly did the British authorities move that the *Alabama* was on the high seas before action was taken.*

Adams thereupon telegraphed Captain Craven in command of the United States steamer *Tuscarora* at Southampton to intercept the "290" at sea but the latter evaded the *Tuscarora* by passing through the channel to the north of Ireland while her pursuer lay in wait in St. George's channel. The *Alabama* then proceeded undisturbed to one of the Azore Islands, where, according to a previous arrangement, she awaited the arrival of two British vessels carrying her armament, stores, etc. Meanwhile Captain Raphael Semmes and 24 young naval officers from the Confederacy arrived in Liverpool with commissions to take command. For the sake of prudence Captain Semmes ordered the *Alabama* to sail for the Azores under command of Captain Butcher while he himself immediately followed as a passenger on an English ship. At the rendezvous the *Alabama* ran up the Confederate colors, took her name as ordered by the Confederate government,

* Rhodes, *United States*, vol. iv., pp. 85-87; Nicolay and Hay, *Life of Lincoln*, vol. vi., pp. 53-54.

* Regarding the culpability of the ministry and British opinion regarding the escape of the *Alabama* see Rhodes, *United States*, vol. iv., p. 89 et seq.

and received on board as armament two pivot guns amidship and six 32-pounders besides stores for a long cruise. The ship was manned by 25 officers and about 120 men.*

In the spring and summer of 1863 the *Florida* under J. N. Maffit captured a large number of trading vessels along the American coast and in June one of her tenders entered the harbor of Portland, Maine, and destroyed a United States revenue cutter lying there. The *Florida* then crossed the Atlantic and took refuge in the harbor of Brest. Late in February of 1864, under command of Lieutenant C. M. Morris, she began another cruise in the West Indies, but captured few prizes and on October 4 anchored in the harbor of Bahia, Brazil. At dawn of the next day the United States steam corvette *Wachusett*, in command of Napoleon Collins, anchored in the harbor and immediately challenged the *Florida* to fight, which was declined. Accordingly at 3 o'clock on the morning of October 7 the *Wachusett* slipped her cable, steered for the *Florida* and struck her starboard quarter, cutting down her bulwarks, carrying away her mizzen-mast and breaking her main yard. The *Wa-*

chusett then backed away believing that the *Florida* would sink from the effects of the blow. A Confederate lieutenant came aboard the *Wachusett* and surrendered and as the *Florida* had not sunk a hawser was attached to her and she was towed out to sea by the *Wachusett*. On discovering this a Brazilian naval vessel fired three shots at the *Wachusett*, none of which struck and then started in pursuit, but the chase was hopeless and by noon the American vessels had made good their escape. Collins arrived at Hampton Roads on November 12 but on the 28th the *Florida* foundered while at anchor. Though admitting that Collins had transcended the bounds of international law, the Secretary of State administered a severe rebuke to the Brazilian government for harboring the *Florida*.*

After the *Alabama* had been armed she entered promptly upon her memorable career. On the afternoon of January 11, 1863, the United States steamer *Hatteras*, while off the harbor of Galveston, Texas, was ordered to chase a strange sail to the southeastward. The *Hatteras* immediately set out in pursuit and just after dark came up with what appeared to be a British war steamer. When within range the *Alabama* speedily avowed herself and poured a broadside into the *Hatteras*. The latter took fire and

* See Sinclair, *Two Years on the Alabama*; Semmes, *The Cruise of the Alabama*. Other vessels were constructed in England but were not launched in time to be of service to the Confederates. See Bullock, *Secret Service of the Confederate States*; Rhodes, *United States*, vol. iv., p. 365 *et seq.*; Callahan, *Diplomatic History of the Southern Confederacy* (1901); Mason, *Public Life and Diplomatic Correspondence of James M. Mason* (1903).

* Maclay, *History of the Navy*, vol. ii., pp. 554-558; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 128-135.

was compelled to surrender, sinking within a few minutes.

After this the *Alabama* roved the sea destroying American merchant vessels. On June 11, 1864, she anchored in the harbor of Cherbourg, France, with 37 prisoners aboard captured from American merchant vessels. Captain Semmes intended to dock his ship for much-needed repairs but the American minister to France protested to the minister of foreign affairs who gave instructions through the minister of marine that the *Alabama* must make the necessary repairs at the usual places of commercial accommodation. The moment the *Alabama* appeared the American minister telegraphed to Captain J. A. Winslow, of the *Kearsarge*, then at Flushing, who immediately made for Cherbourg. He did not enter the harbor but steamed by the breakwater from end to end without anchoring, which conduct Semmes rightly construed as an equivalent to a challenge to combat. The *Kearsarge* was somewhat smaller than the *Alabama* and carried only 7 guns to the 8 of the *Alabama*, but she had a crew of 163 men as against the 149 of the Confederate vessel. The machinery of the *Kearsarge*, however, was protected by a chain armor covered with one-inch deal boards, but as that part of the ship was struck only twice, the armor was not an important factor in determining the result of the fight. The metal of the *Kearsarge* was much heavier than that of the *Alabama*.

The French government had warned Winslow that the combat between the two ships must not take place within French jurisdiction. Accordingly on the morning of the 9th, when the *Alabama* was seen coming out of the harbor, Winslow steamed out to sea, clearing for action as he ran, with the *Alabama* in pursuit. When about 7 miles from the French coast the *Kearsarge* turned short about and steered directly for the *Alabama* with the intention of running her down or at least of closing in with her. As soon as the *Kearsarge* came around, however, the *Alabama* sheered, presenting her starboard battery and at a distance of about a mile opened her full broadside on the *Kearsarge*. Broadside was fired in rapid succession without injuring the Union vessel. The *Kearsarge* did not reply until within 900 yards of the *Alabama*, when, apprehensive that another broadside might prove disastrous, Winslow sheered his vessel and opened on the *Alabama*. Fearing that the *Alabama* would make for shore, Winslow determined to run under the *Alabama*'s stern and rake her but the latter vessel prevented this by sheering and keeping her broadside to the *Kearsarge*, thus forcing the fight on a circular track, each ship with a strong port helm steaming around a common centre. The firing of the *Alabama* was at first rapid and wild, though it improved toward the close of the action; that of the *Kearsarge* was deliberate, accurate and

almost from the beginning very destructive. The effect upon the *Alabama* was soon perceptible. The *Kearsarge* concentrated her fire and poured in her 11-inch shells with deadly effect. One penetrated the *Alabama's* coal bunker and a dense cloud of coal dust arose. Others struck near the water line between the main and mizzen masts and on exploding created fearful havoc. Crippled and torn, the *Alabama* began to move less quickly and to settle by the stern, but did not slacken her fire. Six times the vessels circled around each other, the *Alabama* doing little damage to the *Kearsarge*, only one of her shells having exploded upon the decks and wounding three of the crew. Captain Semmes witnessed the havoc made by the Union shells, especially by those of the after-pivot gun of the *Kearsarge*, and ineffectually attempted to disable it. The seventh rotation had been completed when the *Alabama* sought to escape but the *Kearsarge* pursued, keeping on a line nearer the shore, and with a few well-directed shots hastened the sinking. In a few minutes the colors of the *Alabama* were struck and the *Kearsarge* ceased firing. In the excitement two of the port guns of the *Alabama* were fired after the flag was down and Winslow, amazed at this extraordinary conduct, ordered another broadside to be fired. Again the shot and shell went crushing through the sides of the *Alabama* which continued to settle by the stern.

A white flag was then shown over the stern of the *Alabama* and her ensign was half masted Union down whereupon Winslow for the second time gave orders to cease firing.* Boats were then sent from the *Alabama* to inform Winslow that Semmes had surrendered and that the *Alabama* was fast sinking. As quickly as possible Winslow lowered his boats to rescue the Confederate crew but before they had rendered any aid the *Alabama* had gone to the bottom. Meanwhile the English yacht *Deer Hound*, which had steamed from the harbor to witness the battle, had begun to pick up the drowning men, rescuing Semmes and about 40 of his officers and men, who were immediately taken back to England. Some French pilot boats also participated in the work of rescue and carried their contingent to France so that Winslow had but a scanty show of prisoners. The wounded survivors saved by the boats of the *Kearsarge* and the French pilot boats numbered 70 men including 5 officers; all except 4 officers were paroled and the wounded were sent to the French hospitals. The destruction of the *Alabama*, however, had little effect in lightening the general gloom in the United States, since it was universally regarded as of little moment in terminating the war.†

* Regarding this point see *Battles and Leaders*, vol. iv., pp. 610, 619.

† *Battles and Leaders*, vol. iv., pp. 600-625; Semmes, *The Cruise of the Alabama*; Sinclair, *Two Years on the Alabama*; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 142-155; Joseph A.

While these naval actions were taking place off the coast of France other operations were being conducted by the Union naval forces against Mobile. The city was protected by a series of redoubts, batteries and intrenchments covering the approaches by land from above while the shallow waters of the bay rendered defence easy from below. Mobile Bay is separated from the Gulf of Mexico by Mobile Point east and Dauphin Island west, about three miles apart, the ship channel closely skirting Mobile Point. The latter was defended by Fort Morgan and Dauphin Island by Fort Gaines. In August of 1864 Fort Gaines had 30 guns and Fort Morgan over 40 guns, besides a mortar battery of 7 heavy guns in front. Between these two forts stretched a line of piles and torpedoes, though a narrow channel was left for blockade-runners, marked off by a red buoy. Within the harbor was the Confederacy's most powerful ram, the *Tennessee*, and three small unarmed paddle-wheel gunboats. The only way for Farragut and his fleet to go into the harbor was between the guns of Morgan and Gaines, but there was not much to be feared from the latter since it was more than two miles from the channel.

On August 4 General Gordon Granger landed with some 5,000 troops at Dauphin Island to invest Fort Gaines and on the same evening the *Tecumseh*, the last of the eagerly-expected ironclads, reported to Farragut outside the harbor. Farragut's fleet then comprised the wooden sloops of war *Hartford* (flag ship), *Brooklyn*, *Richmond*, *Lackawanna*, *Monongahela*, *Ossipee* and *Oncida* which formed the outer order of battle, and the monitors *Tecumseh*, *Manhattan*, *Winnebago* and *Chickasaw* which formed the inshore column. At 5:30 o'clock on the morning of the 5th the advance began, the *Brooklyn*, under Captain James Alden, leading the way, with a smaller mate lashed to the portside to insure passage through if the starboard vessel's machinery should be disabled. Farragut would have led in the *Hartford* but the *Brooklyn* had machinery for picking up torpedoes. The leading vessels crossed the bar at 6:10, the line of battle was rapidly formed, and at 7:05 the firing began. The instructions were to keep east of the red buoy, but intent upon attacking the *Tennessee*, Commander T. A. M. Craven of the *Tecumseh* pushed rapidly forward, went west of the red buoy and was sunk by a torpedo. The *Brooklyn* was about 300 yards behind the *Tecumseh* and, fearing a like disaster, stopped. Farragut, however, thought that there was more danger in delaying under the guns of Morgan than from the torpedoes, and accordingly

Smith, *The Battle between the Kearsarge and the Alabama*, in *Magazine of History*, vol. v., pp. 1-26 (1907); W. H. Bedlam, *The Kearsarge and Alabama* (1892); Maclay, *History of the Navy*, vol. ii., pp. 562-573; J. M. Ellicott, *Life of John A. Winslow* (1902); Albert M. Goodrich, *The Cruise and Captures of the Alabama; Confederate Military History*, vol. xii., pp. 100-102.

moved to the westward of the *Brooklyn* and passed safely through the line of torpedoes. By this time the battle had become general, the Union iron-clads and wooden ships all volleying together. While the ships were moving by, the fire of Fort Morgan was somewhat subdued, but when the leading vessels were out of range the Confederate guns resumed their work and inflicted much damage on the Union vessels, the *Oneida* being disabled by a shot through her boiler, though she was carried safely away by her consort, the *Galena*.

Meanwhile the *Hartford* had become hotly engaged with the Confederate fleet. The three smaller Confederate gunboats maintained a grilling fire upon her as they retreated up the bay, speedily disabled one of her bow guns and killed and wounded many of her crew. The *Tennessee* started in pursuit of the *Hartford*, but as she was not easily handled and as the *Hartford* was far superior in speed, the *Tennessee* abandoned the pursuit and turned her attention to the rest of the fleet. Farragut then sent the *Metacomet* after the smaller Confederate gunboats and this vessel drove the *Gaines* and *Morgan* to the shelter of the fort where the former was burned, and engaged and captured the *Selma*. The *Tennessee* meanwhile had engaged in a running fight with the rest of the fleet. She first aimed at the *Brooklyn*, next engaged the *Richmond* without injuring either, passed by the *Lackawanna*, col-

lided with the *Monongahela*, fired a destructive broadside into the *Kennebec* and threw two shots into the *Ossipee* below the spar deck. The *Tennessee* had now reached the end of the line where lay the crippled *Oneida*, and after giving her a raking shot turned her head northward and made directly for the *Hartford*. Orders were immediately given for the whole fleet to attack the ram, not only with guns but bows-on also. The *Monongahela* was the first to strike her, but lost her iron prow and cutwater by the blow and received a damaging shot in return. The *Monongahela* fired a broadside, but her shot rattled harmlessly off the iron sides of the *Tennessee*. The *Lackawanna* next struck the *Tennessee*, but did far more damage to herself than to the ram, though one of her 9-inch shot smashed one of the *Tennessee's* port shutters. The *Lackawanna* drew off to ram again while the *Hartford* at full speed struck the *Tennessee* a glancing blow and poured in a harmless broadside. In their eagerness to run down the Confederate ram the Union ships fouled each other, the *Lackawanna* striking the *Hartford* and nearly sinking her. By this time the monitors had approached and had begun their work. The *Manhattan* threw a 15-inch shot at the *Tennessee* which pierced the armor of the ram but did not penetrate the wood. The *Chickasaw* got under the stern of the *Tennessee* and pounded her with four 11-inch guns. By this time the tiller

throughout the day from the shore batteries, the monitors and ships inside and the vessels outside the bay. Between 9 and 10 o'clock at night a shell from one of the land batteries exploded in the citadel and set it afire. The Union artillerists worked slowly but steadily through the night and at daybreak on the 23d the firing again became general. Early on the morning of the 23d an explosion occurred and at 6 o'clock a white flag was displayed. Terms of unconditional surrender were offered and accepted and at 2 o'clock in the afternoon the Union forces took possession. By this surrender the Union side captured about 600 prisoners, 60 pieces of artillery and a large quantity of material. Altogether 104 guns and about 1,500 men had been taken. Many of the guns were spiked, the carriages burned and the stores destroyed. The losses in the Union army were 1 man killed and 7 wounded.*

The possession of Mobile Bay effectually suppressed every attempt of blockade runners to use the harbor as a rendezvous. Nevertheless, Grant made preparations to take the city. It was the headquarters of the department commanded by General Richard Taylor, General D. H. Maury being in immediate charge of the city and its defences with a force of about 15,000 men. After Thomas had overthrown Hood at Nashville in December of 1864, Grant detached A. J. Smith with

the reorganized 16th corps and sent him to join Canby at New Orleans. On January 18 Grant ordered Canby to proceed to the reduction of Mobile. As the main lines of fortification on the western side of the city were very strong Canby decided to approach by the east, since he would have the full benefit of the coöperation of the navy. The principal works to be reduced were Spanish Fort, commanding the mouth of the harbor, and Fort Blakely, about 10 miles northeast of the city. The latter was on high ground and nearly three miles in extent, with nine well-built redoubts armed with 40 guns. The garrison consisted of General F. M. Cockrell's divisions of veteran troops and Thomas' division of Alabama reserves, in all about 3,500, under command of General St. John Lidell.

The Union movement against Mobile was made in two columns, one from Dauphin Island under Canby and the other from Pensacola under Frederick Steele. Canby's force was about 32,000 strong, while Steele's force consisted of Garrard's division of the 16th corps, Veatch's and Andrews' divisions of the 13th corps, Hawkins' division of colored troops, and Lucas' cavalry, in all about 13,000 men. Mobile was defended by about 10,000 troops with 300 field and siege guns under command of Major General D. H. Maury and there were also five gunboats under Commodore Ebenezer Farrand. Canby began his movement on March 17, 1865. Ten days

* *Battles and Leaders*, vol. iv., pp. 379-410.

later he laid siege to Spanish Fort, the right being held by Smith with the divisions of Carr and McArthur, and the left by Granger with the divisions of Benton and Veatch and Bertram's brigade. From left to right the advance was upheld by the brigades of Ector, Holtzelaw and Gibson. By April 8 the trenches were well advanced and the bombardment was begun by 90 guns with the coöperation of the gunboats. In the evening a lodgment was effected on the Confederate right and during the night the garrison retreated with a loss of 500 prisoners and 950 guns.

Meanwhile, on March 20, Steele had set out from Pensacola and by a circuitous route of about 100 miles reached Fort Blakely on April 1. On the 2d the investment was begun. Gradual approaches were made accompanied by heavy and constant skirmishing and by the 8th Steele had portions of his advanced lines within 450 to 600 yards of the works, and 28 guns in position. About 6 P. M. of the 9th a general assault was made; there was a severe struggle in overcoming the obstructions in front of the work; but they were carried and the main works taken by assault with 3,423 prisoners, 40 guns and 16 battle flags. The Union loss was 113 killed and 516 wounded. The Con-

federate loss is not known. On the night of the 11th Forts Tracy and Huger, two small works, were evacuated and blown up. The next day the fleet busied itself in clearing away torpedoes and working its way up to the rear of Mobile by the Blakely and Tensas. The city then lay helpless beneath the guns of the fleet. Granger crossed the bay under convoy with about 8,000 troops and on the morning of the 12th entered the city, which at once surrendered. The Confederate army had fled up the Tombigbee River, having previously sunk two of the ironclads. Maury retreated to Meridian and cavalry was sent from Pensacola to cut him off but was prevented by high water from crossing the Alabama and Tombigbee. After Johnston capitulated in the spring of 1865, Taylor surrendered to Canby on May 4 all the remaining forces of the Confederacy east of the Mississippi, and this ended the war. During the operations in front of Mobile the Union loss was 189 killed, 1,201 wounded and 27 captured, a total of 1,417.*

* *Official Records*, vol. li.; *Battles and Leaders*, vol. iv., pp. 410-411; Andrew, *Siege of Mobile*; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 239-242. See also C. C. Andrews, *History of the Campaign of Mobile, including the Co-operative operations of General Wilson's Cavalry in Alabama*; F. A. Parker, *The Battle of Mobile Bay* (1878).

CHAPTER XL.

1864.

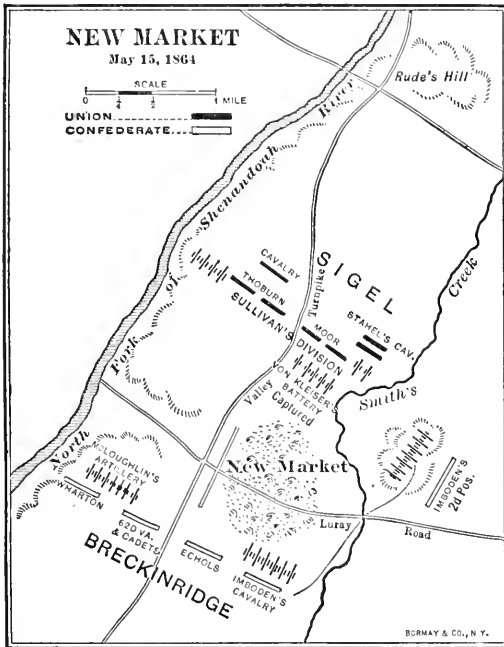
EARLY'S WASHINGTON CAMPAIGN : GRANT'S PETERSBURG CAMPAIGN.

Sigel's defeat at New Market—The battles of Cloyd's Mountain and Piedmont—Early's advance—The engagement at Maryland Heights—Operations on the Monocacy—Engagements at Snicker's and Berry's Ferries and Stephenson's Depot—The second battle of Kernstown—Engagement at Martinsburg—McCausland's raid—The burning of Chambersburg—Grant's movements on Lee's line of supply—His movement on Petersburg—Sheridan's Trevilian raid—Engagement at St. Mary's Church—The assault on the works at Petersburg—Wilson's raid on the Weldon and the South Side Railroads—Engagement near the Jerusalem Plank Road—The battles at Deep Bottom—Explosion of the Petersburg mine—The battles of Globe Tavern, Reams' Station, Fort Harrison, Poplar Spring Church (Peebles' and Pegram's Farm, Vaughan Road), Hatcher's Run (Boynton Road) and Fair Oaks (Darbytown Road).

In the general movement planned by Grant for the armies under his command in May of 1864 General Sigel, who was in command of the Department of West Virginia, was to advance from Harper's Ferry and Winchester to the Shenandoah Valley, and form a junction with General Crook who, with cavalry, infantry and artillery, was to march from the mouth of Gauley River, West Virginia, to destroy the Virginia and Tennessee Railroad and reinforce Sigel at Staunton for a movement on Lynchburg. Sigel had about 24,000 men in his department, most of them guarding the railroad from the Monocacy and Harper's Ferry to Parkersburg and Wheeling. He concentrated part of his command at Winchester, ordered his cavalry to Cedar Creek and Strasburg, and on May 9 marched from Martinsburg up the valley pike with Sullivan's division of infantry and five batteries of artillery, in all 5,500 men and 28 guns, and General Stahel's division of 1,000 cavalry.

On the 11th he arrived at Woodstock and sent his cavalry on toward Mount Jackson where on the 14th it met Imboden's Confederate cavalry, drove it across the Shenandoah and followed as far as New Market. With parts of Sullivan's division and some cavalry Colonel Moor joined the advanced cavalry at New Market late in the evening and a skirmish ensued with little damage to either side. General Breckinridge, commanding the Confederate troops in the valley, had learned of Sigel's movement, collected at Staunton a force of 5,000 men, including the cadets of the Virginia Military Institute, with 8 guns, and at daylight of the 15th drew up two miles south of New Market to dispute Sigel's advance. Besides 300 cavalry and 2 guns Moor had two regiments of his own brigade and two of Colonel Thoburn's. Stahel came up in the morning and took command and about noon Sigel arrived with the rest of the army and made his dispositions for battle. Moor was left

in his advanced position with his two regiments and a small body of cavalry. Thoburn's brigade constituted the main line along which were the batteries, and the cavalry was behind the centre and on the left flank. Breckinridge formed line with Echols' brigade on the right and Wharton's on the left with the Institute cadets and the 62d Virginia between the two.



Imboden's cavalry and a 6-gun battery were on the extreme right. McLaughlin's artillery occupied a sharp ridge left of and parallel to the pike and opened furiously upon Sigel's guns. Breckinridge then advanced and Moor, being overlapped on both flanks, fell back in some disorder, whereupon Breckinridge pressed on and attacked Thoburn by whom, however, he was checked. Meanwhile Imboden with his cavalry had crossed

Smith's Creek and moving down its east bank gained the top of a small hill opposite Sigel's left. From this vantage point he opened with his guns upon Sigel's cavalry and compelled Sigel to withdraw his entire line a half mile to the rear. Imboden then turned his guns on the flank of the infantry while Breckinridge pressed on in front. Von Kleiser's battery was particularly destructive to the centre of Breckinridge's line held by the cadets. On seeing this Breckinridge ordered a charge and the battery was soon in Confederate hands. The rest of the Confederate line then advanced and Sigel retreated, followed a short distance by Breckinridge. At Rude's Hill, three miles to the rear, Sigel halted and formed line. Breckinridge soon came up and began an exchange of artillery fire, by 7 o'clock compelling Sigel to abandon Rude's Hill, to cross the Shenandoah, and to continue his retreat down the valley to Cedar Creek where he arrived early on the morning of the 17th. The Union loss was 93 killed, 552 wounded and 186 missing. The Confederate loss was 42 killed, 522 wounded and 13 missing.*

Meanwhile, on May 3, 1864, General George Crook marched from Fayette, West Virginia, to break the Virginia and Tennessee Railroad at the New River bridge. He had 11 regiments

* Pond, *The Shenandoah Valley*, pp. 15-22; *Official Records*, vol. xxxvii.; Wise, *Battle of New Market; Battles and Leaders*, vol. iv., pp. 480-486; *Confederate Military History*, vol. ii., chap. vii.; vol. iii., p. 457; vol. ix., pt. i., pp. 186-187.

of infantry and 2 batteries of artillery, in all about 6,100 men, brigaded under H. G. Sickel, C. B. White, and R. B. Hayes. He marched through Raleigh, drove a little Confederate cavalry force from Princeton, and on the 8th reached Shannon's Bridge, where he found next morning that the Confederates — three regiments and a battalion of infantry and two batteries — under General A. G. Jenkins and Colonel John McCausland, were barring his way, strongly posted behind a log and rail breastwork, on a steep and thickly wooded spur of Cloyd's Mountain, with guns sweeping the road and open country in front. Crook opened on the position with artillery, and then, under cover of the timber, sent White with his own brigade and two regiments of Sickel's to turn the enemy's right, and the moment they were engaged Sickel and Hayes charged directly to the front up the steep ridge. Parts of the line were repulsed, again to rally and go forward, and after a hard contest the works were carried, the Confederates retreating to Dublin. The Union loss was over 600, that of the Confederates about 500. Crook followed the retreating troops, and when near Dublin encountered about 500 of General John H. Morgan's command, under Colonel Smith, that had come from Saltville, and endeavored to cover McCausland's retreat. These Crook drove back, and at night occupied Dublin. On the 10th he marched to Newbern and thence to New River

bridge, which McCausland tried to save, but after a two-hours' artillery duel in which Crook had 11 men killed and wounded, he seized and destroyed the bridge and the railroad for a considerable distance, and then marched to Meadow Bluff, which he reached on the 19th. Crook's entire loss was 109 killed, 513 wounded, and 72 missing. On his return march he was obliged to leave 200 of his wounded, with surgeons, who were captured. The Confederate loss, as reported, was 76 killed, 262 wounded, and 200 missing or captured.*

As Grant was not at all satisfied with Sigel's operations the veteran David Hunter was appointed in his stead and on May 21 assumed command of the Union forces in the Valley of the Shenandoah. Following Grant's command, Hunter immediately assumed the offensive. With his force of 8,500 men and 21 guns (Sullivan's division of two infantry brigades under Colonels Moor and Thoburn, Stahel's cavalry division, two brigades under Colonels Tibbits and Wynkoop, and five batteries of artillery) Hunter broke camp on Cedar Creek on May 26 to move on Staunton and Lynchburg, march to Woodstock and thence to Harrisonburg where on June 2 he learned that General Imboden was at Mount Crawford, guarding the approach to Staunton. Making a feint upon the Con-

* *Official Records*, vol. xxxvii.; Pond, *The Shenandoah Valley*, pp. 9-15; *Confederate Military History*, vol. ii., pt. ii., pp. 95-96.

federate line at the latter point, Hunter turned off his main force to Port Republic. Resting but a night at the latter place he moved early on the morning of June 5 along the Staunton road, met the Confederate cavalry and drove the enemy some distance with a loss of 75 killed, wounded and missing.

At Piedmont, 7 miles southwest of Port Republic, Hunter found General W. E. Jones with a Confederate force of 6,000 men and 12 guns, his left resting on Middle River, a tributary of the Shenandoah. Hunter immediately formed line with Moor's brigade on the right, Thoburn's on the left and Wynkoop's cavalry in the rear of Moor. At 9 o'clock the Union artillery opened fire, after which Moor attacked the Confederate left but was repulsed with some loss. Meanwhile Thoburn, having crossed a ravine to gain the Confederate flank, soon came to close quarters. Moor and Wynkoop coöperated in the attack and finally drove the Confederates from the field, leaving Jones dead and taking over 1,000 prisoners, besides losing about 600 killed and wounded. The next day Hunter captured 400 sick and wounded, his total loss in the engagement being only 420 killed and wounded. General Vaughn, who succeeded Jones in command, fled to Waynesboro and abandoned Staunton. Hunter marched to Staunton on the 6th and was joined by Generals Crook and Averell who had marched from West Virginia with 10,000 men, rais-

ing his force to 18,000 men and 30 guns. The combined forces then began the work of destruction, thoroughly and completely broke the railroad several miles east and west, and then marched for Lynchburg.* On the way the troops stopped at Lexington, burned the Virginia Military Institute at that place, and destroyed much property. Taking the route by Buchanan, Hunter struck the Tennessee Railroad at Liberty west of Lynchburg, the vicinity of which place he reached on June 16.†

Considering Lynchburg of vital importance to the Confederacy, Lee sent Jubal A. Early with heavy reinforcements to protect it and Hunter, whose supplies and ammunition were almost exhausted, found himself unable to carry the strong works by which it was surrounded or to fight the veteran army by which it was newly garrisoned. He therefore resolved to retreat by way of the Kanawha instead of the Shenandoah, but by taking this course he left the broad valley open to the Confederates. Accordingly Lee detached Early to the protection of Lynchburg and gave him orders to strike Hunter in rear and if possible to destroy him and then to move down the valley, cross the Potomac, and threaten Washington. On June 23, after driving Hunter away from Lynchburg, Early began his return

* *Official Records*, vol. xxxviii.: *Battles and Leaders*, vol. iv., pp. 151, 485-486; Pond, *The Shenandoah Valley*, p. 22 et seq.

† See Long, *Life of Lee*, p. 355 et seq.; *Official Records*, vol. xxvii., pt. i., p. 97

march and reached Staunton on the 27th.* He had been joined by General Breckinridge's division of infantry and McCausland's brigade of cavalry. On June 29 he sent the greater part of his cavalry to destroy the bridges of the Baltimore and Ohio and with his main body pushed down the valley turnpike, reaching Winchester on July 2. General Sigel was commanding the Union forces in and around Martinsburg. After Early arrived parties were sent north and west to destroy the Baltimore and Ohio Railroad, and on July 3 Bradley T. Johnson with a cavalry brigade was ordered to move through Smithfield and Lee Town across the railroad at Kearneysville east of Martinsburg and pushing north unite with McCausland at Hainesville, beyond Martinsburg.† Johnson arrived at Lee Town early in the morning where he was met by Colonel J. A. Mulligan with about 2,000 men and a battery and after a hard fight was driven back on the divisions of Rodes and Ramseur, who were supporting him. Breckinridge's division which marched on the main road to Martinsburg drove before it Stahel's cavalry on outpost at Darkesville. Sigel, warned of approaching danger, now burned his stores, collected his command, and abandoned his position; on the night of July 3 he crossed the Potomac at Shepherdstown and on the night of the 5th established himself on Mary-

land Heights with 6 regiments of infantry, 2,500 dismounted cavalry and 26 field guns, while General Stahel was in Pleasant Valley with 1,200 to 1,500 cavalry and 4 guns. Early followed Sigel across the river at Shepherdstown Ford, drove Stahel back and confined Sigel within his works. During the night of the 6th a heavy cannonade was kept up and the next day there was some sharp fighting, but making no impression and unable to move to manœuvre Sigel out of his position, Early drew off, crossed South Mountain by Turner's and Crampton's Gaps, and concentrated his main body on the night of the 8th near Middletown with his cavalry in advance between Middletown and Frederick.*

Meanwhile Union forces had concentrated to oppose his march. On July 6, General Lew Wallace, commanding the middle department with headquarters at Baltimore, collected a mixed force numbering about 2,700 men under General E. B. Tyler at Monocacy Junction near Frederick and disposed it to cover the Baltimore and Ohio Railroad and its bridge and the Baltimore pike with its stone-pier bridge. Cavalry was sent out on the road beyond Frederick, but struck Bradley T. Johnson's cavalry and fell back. On the 8th Wallace was joined by a part of Ricketts' division of the 6th corps from the Army of the Potomac which was advanced to Frederick but during the night was withdrawn

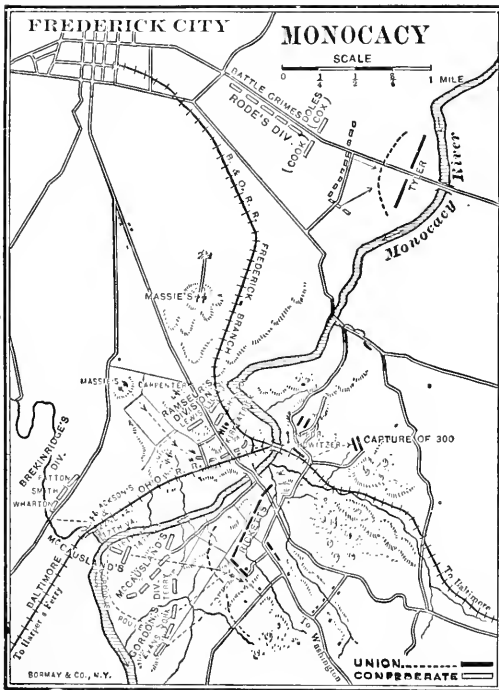
* Pond, *The Shenandoah Valley*, p. 35 *et seq.*

† *Ibid.*, p. 48.

* Pond, *The Shenandoah Valley*, p. 49 *et seq.*

and crossed to the east bank of the Monocacy where meanwhile other parts of Ricketts' division had come up by rail from Baltimore. Ricketts' division of 3,350 men was formed on Tyler's left covering the Washington road and its wooden bridge, both flanks being guarded by cavalry, while skirmishers were deployed on the bank of the river. On the morning of the 9th Early advanced from Frederick to attack Wallace, sending Rodes on the left along the Baltimore

9 o'clock in the morning 4 heavy batteries and 16 guns crowning the heights near the river opened fire upon the Union lines opposite. By noon the Confederate cavalry had forded the river and, dismounting, attacked Ricketts' left, but resultlessly. Gordon then sent across his infantry to reinforce the cavalry, but Ricketts, holding on to the bridge with his right to check Ramseur, changed front to the left and engaged Gordon and the cavalry. The enflading fire of the guns across the river and the continued attacks of Gordon on the front, right and left, however, caused Wallace at 4 o'clock in the afternoon to withdraw Ricketts toward the Baltimore pike, after first burning the wooden bridge and the block house at its farther end. Tyler had continued to hold his position against Rodes in a part west of the river covering the stone bridge on the Baltimore pike but Gordon's troops, following up the east side of the stream on Ricketts' heels, struck the pike before the bridge guard could get away and captured several hundred prisoners, Tyler himself narrowly escaping. Wallace then fell back by the Baltimore road in the direction of Ellicott's Mills, Early following a short distance behind. Early then levied and collected \$200,000 from the citizens of Frederick, seized a good supply of bacon and flour, and on the morning of the 10th resumed his march on the direct road to Washington, halting at night within four miles of Rockville. The Union



pike, Ramseur in the centre along the Washington road and Gordon following McCausland's cavalry to the right to reach the fords a mile below Wallace's left. Rodes and Ramseur pressed back the Union skirmishers to the banks of the river; Ramseur drove those in his front beyond it; and at

loss at Monocacy was 123 killed, 603 wounded and 568 missing, more than 1,000 of whom were from Ricketts' division.* Early reports his loss as about 700 killed and wounded, though it must have been larger, as Gordon alone lost 698.†

On July 10 Early marched on the direct road to Washington and at night bivouaced four miles north of Rockville. McCausland's cavalry brigade, which had preceded him, drove out of Rockville about 600 Union cavalry and then engaged with the other cavalry in gathering up horses, sheep, hogs and cattle of all kinds, grain, bacon and subsistence of every nature, and shoes and clothing. Bradley T. Johnson's cavalry moving from Frederick toward Baltimore, occupied several towns on the way, and destroyed the Northern Central Railroad at Cockeysville. Another cavalry detachment stopped a train of cars at Magnolia Station on the Baltimore and Ohio Railroad and burned the train and Gunpowder River bridge. Wires were cut, communication with the North severed, and the excitement and alarm became great. At dawn of July 11 Early marched through Rockville, but at 9 o'clock McCausland, who, with the advance, had taken

the Georgetown road, was stopped by Colonel Lowell with a small cavalry force in advance of Fort Reno. Meanwhile the main force preceded by Imboden's cavalry brigade marched for the Seventh Street road running past Silver Spring while Jackson's cavalry brigade moved on the left flank. A small Union cavalry force was driven by Imboden into the works on the Seventh Street road and by noon Early had arrived in front of Fort Stevens, which works were feebly manned.*

The Northern defences of Washington consisted of a series of detached works at intervals of 800 to 1,000 yards, generally connected by rifle-pits and mounting 400 heavy guns. West of the Seventh Street road in Early's front was Fort Stevens with Fort DeRussy on its left. A deep ravine separated the two. On the right was Fort Slocum. Fort Stevens had a powerful armament, an extensive bombproof well protected by embrasures and traverses. The defences of the city were manned by some heavy artillerymen and a miscellaneous force of militia, marines and sailors, convalescents and invalids, department clerks and other employés of the Government, in all numbering about 8,000 men under command of General A. McD. McCook.† The line immediately north of the city was garrisoned chiefly by the 150th and 151st Ohio regiments

* See Wallace's report in *Official Records*, vol. xxvii., pt. i., p. 191.

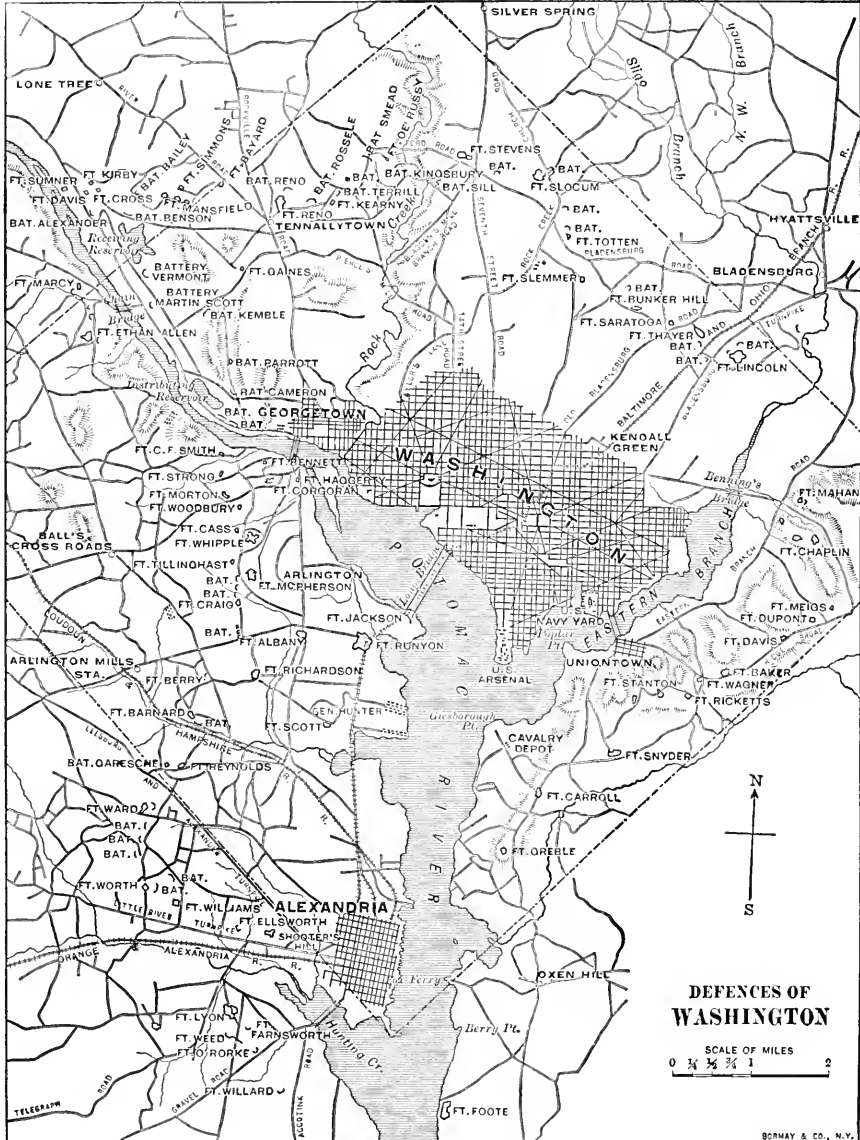
† Pond, *The Shenandoah Valley*, pp. 53-60; Early, *Last Year of the War for Independence*; Grant, *Personal Memoirs*, vol. ii.; *Battles and Leaders*, vol. iv., pp. 493-499; A. S. Roe, *Recollections of Monocacy* (1885); *Confederate Military History*, vol. iii., pp. 480-482; vol. iv., pp. 255-256; vol. vi., p. 293.

* Pond, *The Shenandoah Valley*, pp. 61-64.

† *Ibid.*, p. 64.

of 100-day men, two or three companies in each fort, and by detachments of volunteer artillery of General M. D. Hardin's division of the

vision consisted of detachments of the 2d Massachusetts, the 8th Illinois and 16th Pennsylvania, in all about 1,000 men, and was in advance of the



22d corps, whose two brigades held the entire line of 16 forts from the Potomac above Chain Bridge to the eastern branch. Lowell's cavalry di-

works from the Potomac to Fort Stevens. Early had thought the Union works poorly manned and accordingly ordered Rodes' division into line in

front of Fort Stevens. About 1:30 P. M. when the skirmishers were within range the Union artillery in Fort Stevens under Captain H. A. DuPont opened a rapid fire while a body of quartermaster's employés and 600 dismounted cavalry under Major G. G. Briggs, of the 7th Michigan, entered the works on the right and left of the fort. Rodes then fell back and Early consumed the rest of the day in reconnoitering.

Meanwhile a substantial and timely reinforcement had arrived. Grant sent Ricketts' division of the 6th corps, about 5,000 strong, and 3,000 cavalry, to Baltimore, deeming this reinforcement sufficient to ward off the threatened danger. On the night of July 8, however, Halleck sent an alarming telegram to Grant saying that the Confederate force advancing toward Washington numbered from 20,000 to 30,000 and that more troops should be sent to Washington.* Accordingly, the next day, a few hours after Wallace's defeat on the Monocacy, Grant ordered General Wright commanding the 6th corps to send two divisions to Washington where on his arrival on the 11th he found 800 men of the 19th corps who had just arrived from New Orleans. Wright quickly landed his troops and marched them to near Fort Stevens where he bivouaced, sending 900 men to relieve those who had been thrown out in front of Fort Stevens. Late in the

evening 1,500 quartermaster's employés and 2,800 convalescents under Colonel Frank Price took position in front of Fort Slocum and in the rifle-pits on either side of it. These movements saved Washington.*

On the night of the 11th Early and his generals decided to assault the Union lines at daybreak the next morning, the 12th. During the night, however, a dispatch was received from Bradley T. Johnson advising him of the disturbing fact that two corps of the Army of the Potomac had arrived, which caused Early to delay his attack until he could make a final reconnoissance. As soon as it was light Early rode forward and found the works lined with troops. He therefore gave up all hope of capturing Washington but decided to remain in front of the works during the day and maintain a bold front until the friendly darkness should give him opportunity to retire.†

The evening before, General Wright had proposed to send out troops to clear away the Confederate skirmish line, but this was not thought advisable. Wheaton's brigade of the 6th corps was thrown out on the skirmish line in front of Fort Stevens and fighting began immediately, continuing until the middle of the afternoon. Wright then sent out Bidwell's brigade of the 6th corps with orders to join Wheaton in an attack upon the Confederates at Rives House. The

* Pond, *The Shenandoah Valley*, pp. 65-66.

† Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 170-172.

guns of Fort Stevens and Fort Slocum opened a rapid fire and at a signal from Wright who stood on the parapet of Fort Stevens with President Lincoln at his side, Bidwell moved forward and with Wheaton's brigade drove the Confederates about a mile back upon Rodes' main line where farther advance was stayed. The Union loss was over 200. On the left near Fort Reno, Lovell's 900 cavalry attacked McCausland's cavalry brigade and drove it back along the Georgetown road until infantry came to McCausland's support. That night Early fell back through Rockville, marched all night and halted near Darnestown. On the morning of the 13th Lovell's cavalry pushed after Early as far as Rockville, but was driven back by McCausland. At noon Wright marched after Early with two divisions of the 6th corps followed by Emory's division of the 19th. Early resumed his march from Darnestown and crossed the Potomac at White's Ford near Leesburg on the morning of the 14th, heavily laden with the spoils of war.*

After resting two days near Leesburg Early moved on the morning of the 16th for the Shenandoah by way of Snicker's Gap in the Blue Ridge, on the morning of the 17th crossed the Shenandoah at Snicker's Ferry and took position near Berryville, Breck-

inridge's command of two divisions covering the valley and the river above and below, and Rodes' and Ramseur's divisions the roads to Harper's Ferry. Meanwhile Hunter and Crook, who retreated from Lynchburg to the Kanawha, had come by steamboat and railroad and joined the forces at Harper's Ferry. On the 16th General Crook, commanding three small divisions of Union infantry and one of cavalry, had struck Early's rear at Purcellville, capturing 50 prisoners and 80 wagons. Under orders of General Wright, Crook on the 17th sent Duffié's division of cavalry and Mulligan's brigade of infantry to Snicker's Gap, which was seized, but upon approaching the valley Early's well posted artillery checked the column. On the 18th the remainder of Crook's command was pushed through the gap and Duffié's cavalry was ordered through Ashby's Gap to attack Early's train in flank, it being the impression that Early was retreating up the valley. About 2 p. m. Crook directed Colonel Thoburn with his two divisions and one of Duval's to cross the Shenandoah at a ford a mile or more below Snicker's and move up to uncover it. Here a picket of about 100 men was encountered, but Thoburn's leading brigade crossed the stream, attacked the picket and captured 15 prisoners from whom it was learned that Early was near. Thoburn was ordered not to advance but to await the arrival of the 6th corps. He had crossed his whole command and

* *Official Records*, vol. xxxvii.; Early, *Last Year of the War for Independence*; *Battles and Leaders*, vol. iv.; Nicolay and Hay, *Life of Lincoln*, vol. ix., chap. vii.; Rhodes, *United States*, vol. iv., pp. 496-504; Pond, *The Shenandoah Valley*, pp. 67-70.

formed a defensive line with a force of 1,000 dismounted cavalry under Lieutenant-Colonel Young of the 4th Pennsylvania cavalry in advance of his right. Hardly had Thoburn made his dispositions when Breckinridge with the divisions of Gordon and Echols attacked his left and centre, while Rodes fell upon his right. Rodes drove the Union troops in his front across the river, whereupon Thoburn changed front to meet him, but his right, too, was forced back and driven across the stream. The left of the Union line repulsed two or three determined attacks by the Confederates and then under orders withdrew across the river, leaving the dead and wounded on the field. The Union loss was 65 killed, 301 wounded and 56 missing. The Confederate loss was about 300. Duffié, who marched for Ashby's Gap with 9,000 men and artillery, camped near Upperville on the night of the 18th and the next morning drove some cavalry through Ashby's Gap. With one brigade he crossed the Shenandoah at Berry's Ferry but was there met by Imboden's and McCausland's cavalry brigades and driven back. At 5 P. M. another effort was made to cross the river but the Union troops were repulsed with great loss and at night Duffié fell back to Ashby's Gap. The Union loss was 56 killed and wounded and 68 missing, while the Confederate loss was not over 50. Wright remained at Snicker's Gap on the 19th and that night Early, learning that General Averell

was moving from Martinsburg to Winchester, thus threatening his rear, retreated toward Strasburg.*

Meanwhile on July 19 General Averell with 1,000 cavalry, 1,350 infantry and 2 batteries marched up the valley pike from Martinsburg, drove the Confederate cavalry from Darkesville toward Winchester and halted near Stephenson's Depot, about six miles from Winchester. This placed him in Early's rear at Berryville and the latter immediately retreated toward Strasburg, first sending Ramseur's division of infantry and two batteries to Winchester to support the cavalry brigades of Jackson and Vaughan and check Averell's advance. On the morning of the 20th Averell, who had received reinforcements of 300 cavalry, raising his force to about 2,800, resumed his march toward Winchester and three miles north of that place at Carter's Farm struck Ramseur. The latter immediately opened fire with four guns and demonstrated with his cavalry on both flanks under cover of which he formed line with Johnson's brigade on his right, Hoke's on his left and Pegram's in reserve. Averell deployed his entire command in one line, withdrew his skirmishers, opened fire with his 12 guns and then advancing drove in the Confederate cavalry, broke Ramseur's left under Hoke who fled in disorder followed by the remainder of the division to near Win-

* *Official Records*, vol. xxxvii.; Pond, *The Shenandoah Valley*, pp. 71-84; Early, *The Last Year of the War for Independence*.

chester where Averell's immediate pursuit was checked by Jackson's cavalry. Averell captured four guns and about 280 wounded and unwounded prisoners, besides killing 73 and wounding 130 others, but with a loss to himself of only 53 killed, 155 wounded and 6 missing. Learning that a large force was gathering in his front, Averell then established a strong picket line and fell back two miles. On the morning of the 21st he entered Winchester unopposed, the Confederates having retreated toward Strasburg.*

On July 22 General Crook with four small divisions of infantry and cavalry joined Averell at Winchester, Crook assuming chief command of the combined force of 11,000 men. On the 23d Crook advanced four miles south to Kernstown and after skirmishing with some Confederate cavalry went into position the next day on the same ground held by the Union troops in the battle of March 23, 1862. The infantry divisions of Colonels Thoburn, Duval and Mulligan covered the valley pike, with the cavalry of Duffié and Averell on either flank. General Early had taken position beyond Cedar Creek on the 21st and learning of Crook's advance put his whole army in motion on the morning of the 24th to attack him. At Bartonsville, Ramseur's division moved by a road to get around Crook's right while the divisions of Gordon, Rodes, Breckinridge and Wharton moved along the

valley pike and on either side of it. The cavalry was divided and moved in two columns, one on the right along the Front Royal and Winchester roads, the other on the left and west of Winchester, it being planned to unite in the rear of that town and cut off Crook's retreat. At 10 o'clock in the morning Crook's skirmishers were driven in and it was then discovered that the Union left extended through Kernstown and that Averell's departure had left that flank exposed, whereupon Wharton's division was sent to attack it. Wharton struck the left flank and rear of Colonel Rutherford B. Hayes' command and threw its left into some confusion, but Hayes changed front and, forming behind a stone fence, held Wharton in temporary check. Almost simultaneously Rodes, Gordon and Ramseur advanced on Crook's centre and right and drove the entire line through Winchester. The Union troops were followed by Early's division infantry and artillery beyond Winchester and by Rodes' as far as Stephenson's Depot. The retreat was continued on the 25th through Martinsburg to the Potomac, Crook crossing at Williamsport and marching down the north side of the river to Maryland Heights and Harper's Ferry. Early pursued and on the 26th reached Martinsburg, which he occupied, and then spent the next two days in destroying the Baltimore and Ohio Railroad on either side of the town. The Union loss from July 23 to 26 was

* Pond, *The Shenandoah Valley*, pp. 85-88.

100 killed, 606 wounded and 479 missing, among the mortally wounded being General Mulligan. The Confederate loss is not known accurately, but was comparatively light.*

Early then ordered McCausland with his brigade and that of Bradley T. Johnson with four guns, in all about 2,500 men, across the Potomac to raid Pennsylvania and then to move to Cumberland, Maryland, to destroy the machinery of the Cumberland coal pits and the repair shops, stations and bridges of the Baltimore and Ohio Railroad. Early says that he wished to open the eyes of the Northern people to the enormities committed by its armies by furnishing an indelible example in the way of retaliation and that Chambersburg, Pennsylvania, was selected as the town to be used as an object-lesson. McCausland was to demand \$100,000 in gold or \$500,000 in paper money, in default of which levy he was to burn the town. Under cover of demonstration on Williamsport and other points along the Potomac McCausland crossed the river at McCoy's Ferry near Clear Spring above Williamsport on the 29th and made straight for Chambersburg, about 25 miles northeast. He met with little opposition and on the morning of the 30th rode into the town and demanded the sum fixed by Early. Compliance with his order was impossible and as he knew

that General Averell was close upon him, McCausland laid a great part of the town in ashes and then hastily marched to McConnellsburg and encamped.*

On learning that McCausland had crossed the Potomac Averell started in pursuit with about 2,600 cavalry, went through the town and a few miles from McConnellsburg struck McCausland's rear, forcing him back to the Potomac at Hancock, which was reached by noon of the 31st. There McCausland formed in battle line, but when Averell appeared and attacked he withdrew westward by the national road to Cumberland where, on August 1, he found General Kelley. McCausland attacked Kelley in the afternoon and skirmished until night, then retreating toward Old Town on the Potomac.† There at daylight on August 2 he forced a crossing, capturing or dispersing a regiment of new troops from Ohio and then moved south into the valley of the south branch of the Potomac by way of Springfield and Romney. From the latter place on August 4 he moved on New Creek which was held by Colonel Robert Stevenson of the 154th regiment Ohio National Guard with his regiment, small detachments of three other regiments, and 8 guns, in all about 1,500

* *Official Records*, vol. xxxvii.; *Battles and Leaders*, vol. iv., p. 522; Pond, *The Shenandoah Valley*, pp. 94-99.

* *Official Records*, vol. xxxvii., pt. i., pp. 331 et seq., 515, 525, 542; Pond, *The Shenandoah Valley*, pp. 101-103; Gilmer, *Four Years in the Saddle*, p. 212; Elizabeth McClennan, *The Burning of Chambersburg*, in *Americana* (formerly the *American Historical Magazine*) vol. v., no. iii., pp. 3)-307 (March, 1910).

† Pond, *The Shenandoah Valley*, p. 104.

men. After a severe fight of several hours McCausland was repulsed with a loss of 25 dead and severely wounded. The Union loss was 8 killed and 29 wounded and missing.* McCausland then withdrew to near Moorefield where the south fork joins the south branch of the Potomac, and considering himself safe from pursuit, went into camp. Averell, who had remained at Hancock when McCausland started for Cumberland, crossed the Potomac on the 4th and after a forced march surprised McCausland in his camp on the 7th and routed him, capturing 4 guns, several hundred horses, nearly all of his wagons, 3 battle flags and 420 prisoners, besides inflicting a loss of about 100 killed and wounded. Averell's loss was 41 killed and wounded.† McCausland's shattered command fled to the mountains and made its way in squads to the Shenandoah valley, finally assembling at Mount Jackson. "This affair," says Early, "had a very damaging effect upon my cavalry for the rest of the campaign." Early remained at Martinsburg and Bunker Hill until August 3, sending expeditions into Maryland by Williamsport and Shepherdstown Fords to Hagerstown and Sharpsburg, collecting horses, cattle and other supplies. On the 6th he recrossed the Potomac and the next day concentrated at Bunker Hill.

Meanwhile Grant was continuing his operations against Petersburg.

As we have seen, Butler had made a disastrous failure of his campaign at Drewry's Bluff and had intrenched himself at Bermuda Hundred. On June 9 Butler ordered General Gillmore and General Kautz to capture Petersburg and destroy the railroad bridge across the Appomattox. On the morning of the 10th Gillmore with 1,800 men arrived before the Confederate works on the City Point road, General Hinks with 1,200 men coming up a mile to his left. Both deemed the Confederate works too strong to be carried, so forebore. Kautz with 1,500 men and cavalry moved along the Jerusalem plank road four or five miles to Gillmore's left and at about noon made three unsuccessful attacks, then turned the Confederates in his front and advanced close to the city water works at Reservoir Hill. There he found the Confederate infantry and artillery intrenched and, satisfied that he could not capture the city, withdrew.* At this time Petersburg was held by about 2,400 infantry under General Wise, Dearing's cavalry and some local militia.

After losing more than 50,000 men in his campaign from the Wilderness to Cold Harbor, Grant concluded to transfer his army south of the James and continue operations against Petersburg and Richmond similar to those proposed by McClellan two years before. As a preliminary he

* Pond, *The Shenandoah Valley*, pp. 105-106.

† *Ibid.*, p. 106.

* *Battles and Leaders*, vol. iv., p. 534 *et seq.*; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 196-197.

ordered Sheridan on June 5, 1864, to take two divisions of cavalry and move on Charlottesville, destroy the railroad bridge over the Rivanna near that town, the Central Railroad from that point to Hanover Junction if practicable, and then rejoin the army. To General Hunter, whom it was expected he would meet at Charlottesville, Sherman carried instructions to unite with himself and join the Army of the Potomac. On the morning of the 7th Sheridan started with Torbert's and Gregg's divisions and 4 batteries of artillery, in all about 8,000 men. He crossed the Pamunkey at New Castle Ferry, moved up the north bank of the North Anna, marching by way of Aylett's and Childsburg, crossed both branches of the North Anna on the 10th and at night encamped about three miles northeast of Trevilian Station on the Central Railroad. Having learned of this movement General Lee ordered Wade Hampton with his own division of cavalry to follow in the direction of Gordonsville and directed Fitzhugh Lee with another division to follow Hampton as speedily as possible. The latter had about 5,000 men and 3 batteries of artillery. On the morning of the 9th he marched from Atlee's Station of the Virginia Central Railroad toward Beaver Dam Station, passed Louisa Court House on the 10th and that night encamped about three miles northwest of Trevilian Station. At the same time Fitzhugh Lee was near Louisa Court

House about six miles east of the station. During the night Hampton learned that Sheridan had encamped and determined to attack him at Clayton's Store, about midway between Trevilian Station and Carpenter's Ford on the North Anna. His own division was to advance by way of the station while Lee went from Louisa Court House to the store by the direct road. By daylight Hampton had reached the station and was moving toward Clayton's Store with Butler's and Young's brigades, Rosser's brigade advancing by a road on his left, when Sheridan was encountered with Torbert's division in advance. There was a sharp skirmish between the advanced parties, whereupon Hampton dismounted his men and formed them in dense timber across the road. Custer with his brigade was sent to the left to strike the Louisa Court House road and move up in Hampton's rear. He passed unnoticed and unopposed to his assigned position and captured many of the Confederate horses. Torbert's division was then dismounted, assaulted Hampton's position and carried it, though with severe loss, and drove Hampton back on Custer at Trevilian Station. Custer captured many prisoners. Gregg attacked Fitzhugh Lee on the Louisa Court House road and drove him before him, pursuing until night. Hampton's division fell back in the direction of Gordonsville and during the night was joined by Fitzhugh Lee, who made a detour for that purpose.

At night Sheridan learned that Hunter was moving on Lynchburg and that Breckinridge was at Gordonsville. As his ammunition was low, therefore, he decided to return. On the morning of the 12th Gregg's division began the destruction of the railroad toward Louisa Court House and at 3 p. m. Torbert's division reinforced by a brigade of Gregg's went up the Gordonsville road to secure a passage over Malory's Ford of the North Anna, since Sheridan had decided to return by way of Spotsylvania Court House. Torbert became heavily engaged with Hampton, the battle continuing until 10 o'clock at night with Hampton the victor. Accordingly Sheridan returned by the route he had come, recrossed the North Anna at Carpenter's Ford and reached White House on the Pamunkey on the 21st, followed by Hampton who moved on the south side of the North Anna. Sheridan's loss at Trevilian Station on the 11th and 12th was 102 killed, 470 wounded and 435 captured or missing. Hampton says he captured 570 prisoners and that the loss in his own division was 59 killed, 258 wounded and 295 missing.*

Sheridan arrived at White House on the Pamunkey on June 21, 1864. On the 22d the depot at this place was broken up as Grant had established

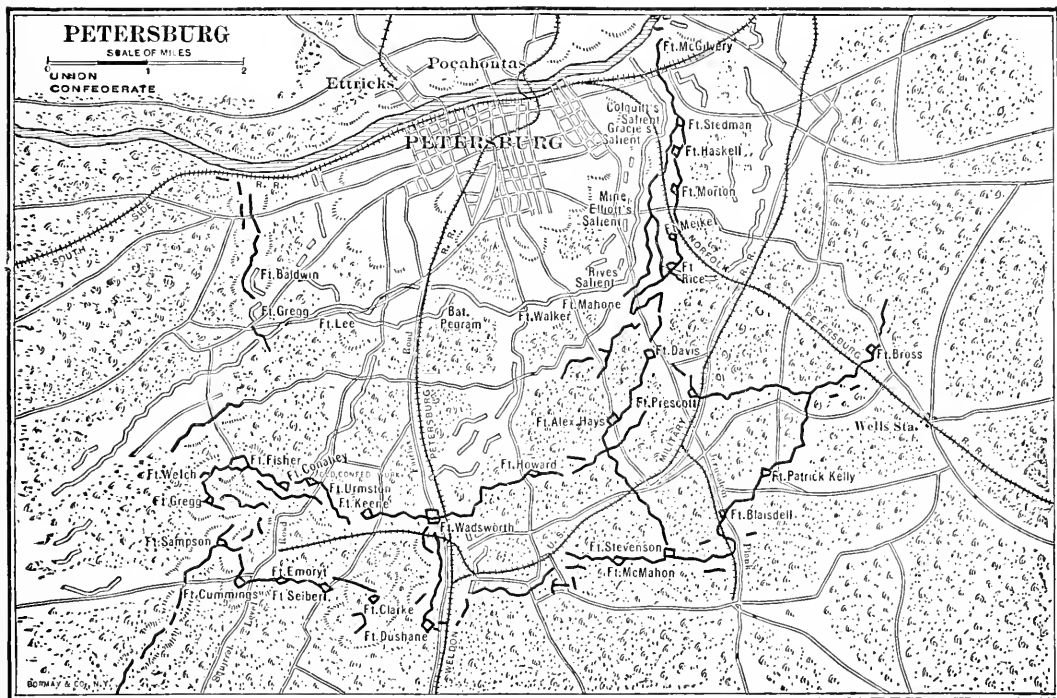
a new base at City Point. A train of 900 wagons set out under cover of Sheridan to cross the James River on the pontoon bridge at Bermuda Hundred. It crossed the Chickahominy at Jones' Bridge and moved to Charles City Court House *en route* past Malvern Hill, in advance of which were the cavalry divisions of Wade Hampton and Fitzhugh Lee hanging on Sheridan's flank. Keeping Torbert's division with the trains, Sheridan sent Gregg with his division and two batteries to St. Mary's Church to cover the exposed flank. On his arrival there Gregg intrenched in a strong position. During the 24th there was some skirmishing; late in the afternoon Hampton and Lee attacked Gregg on the right flank and in the front and after a stubborn contest forced him to give way, leaving his dead and wounded on the field. Hampton pursued to within two and a half miles of Charles City Court House. The trains were moved back to Doutharts' Landing on the James and were ferried over, Sheridan following them across on the 26th. The Union loss was 29 killed, 188 wounded and 122 missing. Hampton's loss was 6 killed and 59 wounded, but Lee's is not reported.

Meanwhile the general movement to the south of the James began on the 12th and terminated on the 16th, when the entire Army of the Potomac was south of the river in rear of Bermuda Hundred. Before all the army had crossed Grant ordered an ad-

* *Official Records*, vol. xxxvi.; Sheridan, *Personal Memoirs*, vol. ii.; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 230-234; *Battles and Leaders*, vol. iv., pp. 233-239; Pond, *The Shenandoah Valley*, pp. 40-42.

vance on Petersburg for June 15. The strong and complete Petersburg intrenchments extended from the Appomattox River east a mile to the City Point Railroad, thence south three miles to the Norfolk Railroad, then west four miles to a point a mile west of the Weldon Railroad, and north two miles to the Appomattox;

forcements, but he did not get them, as he was unable to convince Lee that Grant had crossed the James.* General W. F. Smith, who had rejoined the Army of the James at Bermuda Hundred, on the night of the 14th and the next morning, with his infantry increased to 13,700 officers and men and Kautz's division of 2,400 cavalry,



the length of the intrenchments from the Norfolk Railroad west to the Jerusalem plank road was one and a half miles. At this time these works were held by General Wise's infantry brigade of 2,400 men, General Dearing's cavalry brigade of 3,500 men, and a small body of local militia. Beauregard had ordered all the available troops in his department to the city and had requested Lee to send rein-

forced along the City Point Railroad and wagon road; reconnoitering at 5 o'clock, however, he decided not to make an assault on the Confederate works but to use his artillery against one of the Confederate redoubts and then to attack with a strong skirmish line. About 7 o'clock the guns opened,

* *Battles and Leaders*, vol. iv., p. 541; Humphreys, *The Virginia Campaign of '64 and '65*, p. 213 et seq.

the skirmishers advanced, and by 9 o'clock one and one half miles of the Confederate works had been taken, besides 16 guns and nearly 400 prisoners.

General Hancock, commanding the 2d corps, had been ordered to march on Petersburg on the morning of the 15th after rationing his troops, but neither he nor General Meade was informed of Smith's movement. The position he was to occupy was incorrectly laid down on the maps and it was dark when he came to Smith's position. During the night Hoke's division was sent by Beauregard to form on Wise's left and extend to the Appomattox. B. R. Johnson's division was withdrawn from Bermuda Hundred and early on the 16th took position on Hoke's right. From Wise's right to Hoke's left, a distance of five miles, the Confederates had on the 16th about 14,000 men besides artillery. On the morning of that day Egan's brigade of Hancock's corps attacked and carried the Confederate redoubt. At 10 A. M. Burnside's 9th corps came up and formed on Hancock's left, so that the whole body of Union troops facing Beauregard numbered 53,000. At 6 P. M. Hancock assaulted with the 2d corps, supported by two brigades of the 18th on the right and two of the 19th on the left. After a severe loss the Union troops carried three redoubts and other connecting works.*

During the night of the 15th B. R. Johnson's withdrawal from the front of Butler's right being discovered, early on the morning of the 6th Terry advanced and after a sharp fight, in which he took many prisoners, occupied the main line of Beauregard's intrenchments. At 6 P. M. Pickett's division sent by Lee from Drewry's Bluff drove in Terry's skirmishers and recaptured the works, but upon advancing still farther to attack Terry was repulsed. On the morning of the 17th portions of the Confederate works were assaulted and captured by the 2d and 9th corps. Meanwhile Warren's 5th corps had arrived and formed on the left of the 9th. In the afternoon, therefore, the 2d, 9th and 5th made another assault and carried some important positions with heavy losses on both sides.* During the night another golden opportunity was thrown away. Beauregard withdrew across a ravine, formed a new line from 500 to 1,000 yards in rear of the one he had been occupying and intrenched it. Now that the last chance of an easy victory was gone, Meade acted with energy and spirit, ordering a general assault for the 18th. This being made by piece-meal was unsuccessful, but the ground gained was close up to the Confederate works and on this part of the field the two opposing lines remained substantially the same in position until the close of the war. In these

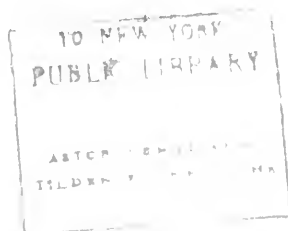
* *Battles and Leaders*, vol. iv., pp. 540-542.

* *Battles and Leaders*, pp. 542-543.



From the original Brady negatives,

1. THE CITY OF PETERSBURG.
2. STREET SCENE IN PETERSBURG.



attempts to carry Petersburg by assault 10,000 men were lost. Therefore, Grant ordered that no more attacks should be made and determined to invest the place partially by extending his left across the Weldon Railroad to the South Side Railroad.* He ordered strong works to be thrown up close to those of the Confederates; connection was then made with the Army of the James on the right; and a movement was begun to destroy communication with Petersburg on the south.

Meade ordered General J. H. Wilson to lead an expedition to destroy the railroads, after which he was authorized to cross into North Carolina and to make his way to the coast or to join General Sherman in northern Georgia. Early on the morning of June 22 Wilson moved from Mount Sinia Church on the Black Water to destroy the Petersburg and Lynchburg and the Richmond and Danville Railroads, his objective point being Burkesville, the intersection of these roads. His force consisted of two commands of his own division and General Kautz's division of four regiments, in all about 5,500 men and 16 guns. He crossed the Weldon Railroad at Reams' Station, destroyed the station and some of the road, reached the Lynchburg road near Ford's Station, about 14 miles from Petersburg, and destroyed it for a distance of 30

miles as far south as Burkesville, and then turned and moved along the Danville road destroying it to the Staunton River, a distance of about 30 miles. The Confederate cavalry under General W. H. F. Lee had followed Wilson and near Nottoway Court House succeeded in interposing between Wilson's two divisions. At Staunton River Kautz found the bridge guarded by 600 militia with artillery and made a successful attack. At the same time his rear was attacked by W. H. F. Lee. Accordingly, having accomplished the object of his expedition and unable to go farther, Wilson decided to return. Marching at midnight he moved eastward about 80 miles through Christianburg and Greensboro, crossing the Meherrin River at Safford's Bridge and arriving at the double bridges of the Nottoway on the afternoon of the 28th. He was then 10 miles west of Jarrott's Station of the Weldon Railroad. Ascertaining that only 1,000 Confederate cavalry and infantry held Strong Creek Depot on the Weldon Railroad, 10 miles to the northeast, he moved rapidly to cross the railroad two miles south of that point. Meanwhile Lee, being informed of Wilson's movements, had sent General Hampton with his cavalry division on the 27th to Strong Creek Depot where he arrived at noon of the 28th, Fitzhugh Lee's division following as far as Reams' Station, 10 miles north of Stony Creek, and at about the same distance south of Petersburg. When

* *Official Records*, vol. xl., pt. i., p. 25. See also Humphreys, *The Virginia Campaign of '64 and '65*, pp. 205-225.

Wilson arrived at the crossing of the Stony Creek Depot and the Dinwiddie Court House roads, Hampton's outposts attacked him and he endeavored to evade Hampton by marching westwardly to the old stage road to Petersburg, thence entirely around him to reach the left of the Army of the Potomac. Kautz had started, but before Wilson could withdraw he was attacked by Hampton early on the morning of the 27th in flank and front and driven back on the road to the double bridges. His command was much scattered and Hampton followed for two miles, then turning back to intercept him should he attempt to cross the Weldon Railroad at or near Reams' Station, but Wilson's main body had passed the stage road before Hampton reached it. At 9 A. M. Wilson reached Reams' Station and there found Kautz who had preceded him two hours and engaged some of Fitzhugh Lee's cavalry and some of Mahone's infantry intrenched. Wilson now found himself nearly surrounded and accordingly issued all his ammunition, destroyed his wagons and at noon began to move back by the Boydton road and Double Bridges to the south side of the Nottoway, intending after he had crossed the river to move eastward about 20 miles and then turn north again. But Fitzhugh Lee had sent his division past Wilson's left, and two brigades of infantry under Mahone, which had been sent down the railroad from near Petersburg, attacked Wilson in front

while Lee attacked in flank and rear. Kautz was cut off and Wilson's whole rear was thrown into confusion, but Kautz escaped, crossed the railroad near Reams' Station and got within the lines of the Army of the Potomac, after abandoning his artillery with about 1,000 of Wilson's men, 500 of his own remaining with Wilson. At Strong Creek Wilson was again attacked in rear, but pushing on he succeeded in crossing the Nottoway before midnight and then moved eastward to Jarratt's Station where he halted until daylight of the 30th. He then continued eastward, crossed the Nottoway at Peter's Bridge, rested for several hours and at 6:30 P. M. resumed the march for Blount's Bridge over the Black Water. The bridge had been partially demolished, but after dark it was repaired, crossed, and then destroyed just as Hampton and Fitzhugh Lee came up. The Confederates abandoned the pursuit at this point and Wilson arrived safely at Light House Point in the afternoon of July 2. He had marched over 330 miles, had destroyed more than 60 miles of railroad and had lost 240 killed and wounded and 1,261 captured or missing, besides 12 field guns, 4 mountain howitzers and all his wagons.*

Meanwhile efforts were made by the 2d and 6th corps to seize the Weldon Railroad at a point near Globe Tavern. On the evening of June 21

* Humphreys, *The Virginia Campaign of '64 and '65*, p. 236 et seq.; *Official Records*, vol. xl.

the 5th corps rested its left on the Jerusalem plank road. The 2d and 6th corps were then moved across the road. The orders for the 22d were that the 5th corps should hold its position in front of the Confederate intrenchments while the 2d and 6th swung to the right and forward on its left, each division intrenching as it came into line. In the movement the corps commanders were at first directed to keep up connection, but were afterwards ordered to move without regard to one another, each taking care of his own flanks. The 2d and 6th corps moved chiefly through dense wooded thickets, the 2d on the right near the Confederate works, the 6th at right angles to the 2d toward the Weldon Railroad. Gibbon's division of the 2d corps had swung in on the left of the 5th and intrenched, Mott's division was doing the same, and Barlow's division on the left had scarcely come to a halt when the last named was attacked. General A. P. Hill had been sent down the Weldon Railroad to oppose Meade's movement. He had the three divisions of Wilcox, Mahone and Bushrod R. Johnson. At 3 P. M., leaving Wilcox to oppose the 6th corps, Hill passed Mahone and Johnson through the opening between the 6th and 2d corps and struck Barlow in flank and rear, driving him back in confusion to the position he had occupied in the morning. Mott's division on Barlow's right fell back and then Hill struck Gibbon's left brigade in front, flank and rear, caus-

ing it to give way and abandon a battery of four guns. The greater part of several regiments were captured with their colors. Hill returned to his intrenchments and towards evening the 2d corps was thrown forward, but not until the next morning did it occupy the ground from which it had been driven. The Union loss on the 22d was nearly 2,000, of whom about 1,700 were prisoners.*

For a month both armies remained comparatively quiet, intrenching and throwing up redoubts, but there was incessant skirmishing all along the lines. On July 25 Grant ordered a movement to threaten Richmond and draw as many of Lee's troops as possible from the lines in front of Petersburg so that they might be assaulted when Burnside sprang his mine. This movement was against Deep Bottom opposite a great bend of the James which makes a neck of land known as Jones' Neck at a point where Bailey's Creek flows into the James from the north. Butler's pontoon bridges, one below and one above the mouth of the creek, were held by General R. S. Foster with a brigade of the 10th corps. The Confederates were intrenched on the west side of the mouth of the creek in Foster's front. About 2 A. M. of the 27th Hancock began to cross the James by the lower bridge in order to turn the Confederate left while Foster attacked the right. Gen-

* Walker, *History of the Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*; *Official Records*, vol. xl.

eral Nelson A. Miles' brigade drove the Confederates from their position on the New Market road east of the creek and captured a battery of heavy guns, but progress across the creek was barred. From the river to Fussell's Mill, about two miles, its west bank was held by Kershaw's and Wilcox's divisions joined during the day by Heth's division. On the morning of the 28th Kershaw advanced on the Charles City road and drove Sheridan back over a ridge upon which he was posted, but Sheridan dismounted his men and threw Kershaw into confusion, taking 200 prisoners; reinforcements then arrived until five-eighths of Lee's army was north of the James. As Grant wanted no assault made, on the 29th Hancock and Sheridan recrossed the James. The Union loss in this movement was over 300 killed and wounded.*

Meanwhile, in the latter part of June, Burnside had assented to a plan for mining a Confederate redan held by Elliott's brigade of B. R. Johnson's division. The work was finished ready for charging by July 23. The main gallery was 511 feet long with two lateral galleries of 37 and 38 feet in which were 8 magazines, each charged with 1,000 pounds of powder. It was intended that upon the explosion of the mine the artillery right and left should open fire and that two brigades of General Ferrero's colored division should assault the wrecked

work, but as these troops had never been under close fire Generals Meade and Grant objected and Burnside substituted General Ledlie's division. The order for the attack was issued by Meade on July 29. Burnside was to spring the mine at 3:30 on the morning of the 30th. The assaulting columns were then to rush forward, seize a crest of ground 150 yards beyond the breach in the line caused by the explosion, and push on, closely followed by General Ord's corps on the right and General Warren's on the left. It was 4:40 when the explosion occurred, which carried men, guns, carriages, dirt and timber high into the air and left a crater 170 feet long, 60 feet wide and 25 to 30 feet deep. Burnside had failed to carry out the precise orders given him; there were considerable delay and confusion on the part of the charging columns in getting over their own works; and Ledlie's division without its commander moved into the crater and halted, filling it with a confused mass. Other troops then rushed into the crater and added to the confusion, whereupon, recovering from their first surprise, the Confederates rushed back to their intrenchments and, seeing the position of the Union troops, opened upon the crater with canister. Shortly after noon the Union troops were ordered to fall back. Those in the crater were driven out or captured early in the afternoon, losing many in killed and wounded, though they had not much more than 100

* Humphreys, *The Virginia Campaign of '64 and '65*, pp. 247-250.

yards to go to reach the intrenchments from which they had charged. The Union loss was 504 killed, 1,881 wounded and 1,413 captured or missing. The Confederate loss was not over on-third of that sustained by the Union troops. This day closed Burnside's military career. Meade preferred charges against him and a subsequent court of inquiry censured him for neglecting such preparations as would have insured success. A few days after the battle he was relieved from command. However, Burnside was exonerated in every particular by a committee on the conduct of the war, though their report was not rendered until nearly the close of the war, when it was too late to restore Burnside to command.*

On July 30, 1864, the Union armies investing Petersburg and Richmond numbered about 59,000 effective infantry and 12,000 cavalry. General Lee had about 38,000 effective infantry and 8,300 cavalry. The Army of the Potomac undertook the investment of Petersburg, while Bermuda Hundred and all the ground possessed

north of the James River was held by the Army of the James. The 9th corps was on the right of the Army of the Potomac at Petersburg, the 5th in the centre and the 2d on the left; the 6th corps had been sent to Washington to oppose Early. On August 12 Grant ordered another movement on the north side of the James to prevent Lee from sending reinforcements to Early and also to threaten Richmond. Hancock's 2d corps, part of the 10th corps under General Birney and Gregg's division of cavalry were designated for this purpose. Birney was at Deep Bottom, the cavalry and artillery went by land, and Hancock marched to City Point and took steamers for Deep Bottom, which was reached on August 14. Mott's division was to advance on the New Market road and drive the Confederates into their works beyond Bailey's Creek, while Barlow with his own division and Gibbon's was to move on Mott's right and assault the line near Fussell's Mill. Gregg's cavalry was to cover Barlow's right, and when the infantry uncovered the Charles City and Darby roads it was to make a dash on Richmond if opportunity offered, or, if not, to destroy the railroads. Birney was to attack the Confederate right and, if successful, move up the river roads on Chaffin's Bluff. Field's Confederate division held Bailey's Creek and Wilcox's division was at Chaffin's Bluff. At the first intimation of Hancock's movement Wilcox moved up

* *Battles and Leaders*, vol. iv., pp. 545-562; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 420-426; Humphreys, *The Virginia Campaign of '64 and '65*, p. 250 *et seq.* For conflicting opinions respecting this affair and the responsibility of Meade, Burnside, and Grant, see Coppée, *Grant and His Campaigns*, pp. 364-373; Swinton, *Army of the Potomac*, p. 523; Woodbury, *Burnside and the Ninth Army Corps*, pp. 418-462. See also the *Report of the Committee (on the Conduct of the War) on the Attack on Petersburg on the 30th day of July, 1864; Confederate Military History*, vol. iii., pp. 519-522; vol. iv., pp. 262-269; vol. v., pp. 324-326.

and joined Field and from the south side of the James Lee sent Mahone's division of infantry and the two cavalry divisions of Wade Hampton and W. H. F. Lee. The brigades of Johnson and Gary followed and there were three regiments from Pickett's division. Mott advanced on the New Market road but was checked at the creek. At 4 o'clock Barlow with one brigade assaulted the position near Fussell's Mill, was repulsed and rested for the night. On the right Gregg had advanced well up the Charles City road and on the left Birney seized a large part of the Confederate line and captured three guns. On the morning of August 15 Birney's corps and a brigade of Mott's division moved toward the Charles City road on which Gregg was advancing, but he made so wide a detour that night had arrived before he found his proper position and the attack was deferred until the next morning. As a diversion to his attack Gregg's cavalry supported by Miles' brigade were to move up the Charles City road. Early on the 16th Gregg started and drove the Confederate cavalry beyond Deep Creek as far as White's Tavern until 7 miles from Richmond. At 10 A. M. Terry's division of Birney's corps, supported by Craig's brigade of Mott's division and Birney's brigade of colored troops, advanced against the Confederates near Fussell's Mill and after a fierce fight drove them back, capturing between 200 and 300 prisoners and 3 colors. The Confed-

erates soon rallied, however, retook their works, and drove Terry back. Soon after noon the Confederate cavalry supported by infantry advanced on Gregg and Miles, drove them back to Deep Creek and later in the day across it. On the 17th there was no fighting, but on the 18th the Confederates attacked Birney who with Miles' assistance repulsed them. On the night of the 20th the Union troops were withdrawn and returned to their positions in front of Petersburg and Bermuda Hundred. In this battle at Deep Bottom the Union troops numbered about 28,000, the Confederates about 20,000. The Union loss was 2,161 killed and wounded and 625 missing; there are no returns for the Confederate losses.*

Under cover of this movement Warren's 5th corps with a brigade of cavalry was sent to destroy as much as possible of the Weldon Railroad and to make such a demonstration on Lee's right as would force him to withdraw a portion of his troops from the Shenandoah valley so that Sheridan might strike a blow at the rest of them. Warren was directed to start early on the morning of the 18th and to make a lodgment on the railroad two miles south of the Vaughan road and destroy it as far south as possible. Warren moved as directed, drove back Dearing's Confederate

* *Official Records*, vol. xlii.; Grant, *Personal Memoirs*, vol. ii.; Walker, *History of the Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*, p. 267 et seq.; Sheridan, *Personal Memoirs*, vol. i.

cavalry brigade and took possession of the railroad at Globe Tavern about three miles south of Petersburg. Griffin's division was formed along the road and began its destruction, while Ayres' division moved up the road a mile or more beyond Griffin, and Crawford moved up on Ayres' right. About 2 P. M., Ayres was attacked by two brigades of Confederates under General Heth but after a severe loss of 544 killed and wounded and 392 missing Ayres repulsed the impetuous onset. On the morning of the 19th Bragg's brigade was sent to Crawford's right to support him and establish connection by a skirmish line with the 9th corps. Willcox's and White's divisions of the 9th corps were ordered to Warren's support. The woods were so dense and the road so intricate that Bragg failed to establish a proper line and before it could be connected and completed it was broken. A. P. Hill with Heth's two brigades, Mahone's three brigades, Fitzhugh Lee's cavalry and Pegram's batteries moved to the Vaughan road intersection. At 4:30 P. M., Mahone's brigades routed Bragg, faced to the right and, sweeping forward, dispersed Crawford's division and Ayres' right, while at the same time Heth opened on Ayres' centre and left. Warren rallied the broken parts of his line and soon regained the ground he had lost. Willcox's division attacked Colquitt's brigade, drove it back and captured some prisoners. Mahone's troops fell back

rapidly in great confusion to their intrenchments, carrying with them parts of Warren's command disorganized by the attack on their rear in the woods and a large portion of the pickets. Heth made repeated attempts to drive Ayres back, but failed. Warren's losses during the day were 382 killed and wounded and 2,518 missing. On the 20th Warren selected a position on the rear a mile or two back of his line of battle of the previous day and intrenched. On the morning of the 21st this position was attacked by A. P. Hill with his own corps and part of Hoke's division and Lee's cavalry, opening with 30 guns. At 10 o'clock the assault was begun, but it was repulsed, as was also an assault by Mahone on Warren's left. No further attempts were made upon Warren's position and the intrenchments were extended by the 9th corps from the Jerusalem plank road to unite with Warren's on the Weldon Railroad. The Union troops engaged during these three days numbered about 20,000 and the Confederates about 14,800. The Union loss was 198 killed, 1,105 wounded and 2,152 missing, and the Confederate loss was about 1,200 killed and wounded.*

The mere possession of a point on the road was not all that Grant desired and the extension of Grant's left to Globe Tavern did not prevent

* *Official Records*, vol. xl.; Powell, *The Fifth Army Corps*; Walker, *The Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 273-276; *Battles and Leaders*, vol. iv., pp. 568-571.

Lee's use of the road as a line of supply up to a point within a day's wagoning to Petersburg. By destroying the road to Rowanty Creek, 13 miles beyond Globe Tavern, Grant could force the Confederates to haul their supplies a distance of 30 miles. Accordingly, on August 22, Hancock with Miles' and Gibbon's divisions of the 2d corps and Gregg's cavalry division, in all about 8,500 men, moved to the left and by night of the 24th had destroyed the road from Globe Tavern to a cross-road three miles south of Reams' Station and 12 miles from Petersburg, leaving only 5 miles of the work undone. Lee could not afford to allow this work of destruction to go on undisturbed. During the 24th Gregg's cavalry was sharply attacked by Butler's division of Confederate cavalry and at night General Meade informed General Hancock that the enemy's infantry was moving in his direction. At daylight of the 25th a cavalry reconnoissance drove in the Confederate pickets and Gibbon was ordered to move out from Reams' Station and complete the destruction of the road. Hardly had Gibbon started when the Confederate cavalry supported by infantry attacked the Union cavalry and drove it in. Accordingly Gibbon was ordered back to the Reams' Station intrenchments where he arrived at 10 A. M., and united with Miles' division. The intrenchments had been hastily thrown up by General James H. Wilson in his cavalry fight near that place

late in the preceding June. They ran along the railroad about 700 yards and then were drawn back on the right and left about 800 yards at nearly right angles, both flanks being exposed to reverse fire from the front. The right half of these works was held by Miles' division and the left half by Gibbon's. The approaches in the direction of Petersburg and Dinwiddie Court House were held by Gregg's cavalry. When Hancock's movement became known to the Confederates General A. P. Hill, with the larger part of his corps and also G. T. Anderson's brigade of Longstreet's corps and Wade Hampton's two cavalry divisions, marched to prevent the destruction of the railroad, while at 2 o'clock on the afternoon of the 25th Wilcox's division twice attacked Miles, but unsuccessfully. At 5 o'clock Hill opened a heavy artillery fire and 15 minutes later Generals Heth and Wilcox again attacked Miles, causing part of his line to give way and abandon a battery. At the same time Gibbon's right gave way and two more batteries were captured by the Confederates. Gibbon was ordered to recapture the lost ground, but his troops responded feebly and fell back under the first fire. Miles, however, rallied the 61st New York and by desperate fighting retook a part of his line and his lost battery. Hampton's cavalry then attacked Gibbon and drove him entirely from his works, but Gregg's dismounted cavalry checked Hampton by a heavy

flank fire, whereupon Hampton turned on Gregg and forced him back to the left of a line which Gibbon had established a short distance in rear of the intrenchments from which he had been driven. As the Union troops could not be induced to go forward, Hancock withdrew from the field at dark. Hill made no attempt to follow up his advantage but returned to the Petersburg intrenchments, leaving Hampton's cavalry at Reams' Station. The Union loss was 669 killed and wounded and 2,073 captured or missing. The Confederate loss was 720, chiefly killed and wounded.*

On September 28, in order to make Lee so weaken the garrison at Petersburg that the Union forces might carry it, Grant ordered a movement against the Confederate troops defending Richmond north of the James River. The great object, however, was to prevent Lee from sending reinforcements to Early in the Shenandoah valley. During the night of September 28 General Ord crossed from the south to the north bank of the James and on the 29th, with 4,000 men, after driving in the Confederate outposts, appeared before Fort Harrison at Chaffin's Farm, the strongest work on the Confederate line. Birney with 10,000 men moved by roads farther to

the right. Stannard's division which led the advance after Ord's column and after an assault under heavy artillery and musketry fire, captured it with its 16 guns and nearly 300 prisoners, but with a loss to himself of over 500. In this engagement Ord was severely wounded and the command of his corps fell to General Heckman whose division, following Stannard's, passed to the right of Fort Harrison and was repulsed with heavy loss in an attack on Fort Gilmer. Meanwhile Birney had advanced along the New Market road and after capturing some of the Confederate rifle-pits established connection with Heckman. At this juncture Grant appeared and ordered an advance on the right. At 3 P. M. Birney made another assault on Fort Gilmer but was badly repulsed, whereupon Grant ordered the troops to intrench. Lee then transferred 7 brigades from his lines at Petersburg to the north side of the river and massed 10 brigades at and near Fort Gilmer to assail and retake Fort Harrison. At 2 o'clock on the afternoon of the 30th General R. H. Anderson commanding Longstreet's corps attacked the fort with 5 brigades but was repulsed. The assault was renewed twice but each time the Confederates were repulsed and the effort to dislodge the Union troops was abandoned. The Union loss on the 29th and 30th was 383 killed, 2,299 wounded and 645 missing, while the Confederate loss must have

* *Official Records*, vol. xlii.; Walker, *History of the Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 277-283; *Battles and Leaders*, vol. iv., pp. 571-573; Wilson, *Under the Old Flag* (1912).

been about 2,000 in killed, wounded and missing.*

In coöperation with this movement from the north side of the James, Grant ordered a diversion from the left side of the river in a northwest direction toward the Boydton road and the South Side Railroad, the intention being to extend the intrenched line beyond the Weldon Railroad in the direction of the South Side Railroad. Warren with Griffin's and Ayres' divisions of the 5th corps secured a junction of the Squirrel, Level and Poplar Spring Church roads coming in from the southwest at which points the Confederates had intrenchments covering the road. General John G. Parke with Willecox's and Potter's divisions of the 9th corps were to follow Warren and form on his left when both were to advance toward the Boydton road. Gregg's cavalry was to move along the Vaughan road on the left and rear to the crossing of Hatcher's Run where the Confederates had a redoubt at the termination of their intrenchments. At 7:30 on the morning of September 30 Griffin and Ayres moved from Globe Tavern and after a march of three miles struck a Confederate picket line along the road in front of Poplar Spring Church. These pickets were quickly driven in but soon the Union troops came under a sharp fire from a line of works on Peeble's Farm held by Dearing's cavalry bri-

gade and some infantry. After a short delay these works were carried by assault with small loss. On the left Parke moved toward the Boydton road and encountered the Confederates at Pegram's Farm. The forces holding the Petersburg intrenchments were A. P. Hill's corps and B. R. Johnson's division of infantry with Wade Hampton's two divisions and Dearing's brigade of cavalry, all under the command of A. P. Hill. The main line of Confederate intrenchments had been extended in a southwest direction nearly to Hatcher's Run covering the Boydton road and South Side Railroad. Hill threw out two divisions which soon struck Potter's division, flanked it on the right and drove it back in some confusion. Parke then formed a new line with Willecox's troops which, with Griffin's line on the right, after a spirited engagement checked the Confederate advance. The Union loss was nearly 500 killed and wounded and many prisoners. Late in the afternoon of October 1 Mott's division of the 2d corps came up and the next day Parke, in the face of a heavy artillery and musketry fire, established a line of intrenchments about a mile away from the Confederates, connecting on the right with a line held by the 5th corps and on the left reaching the Weldon Railroad and extending to the left and rear. Meanwhile, on September 30, on the left and rear Gregg's cavalry had driven back John Dunovant's cavalry brigade and on October 1 re-

* *Official Records*, vol. xlii.: Humphreys, *The Virginia Campaign of '64 and '65*, p. 284 et seq.

pulsed an attack by Hampton's cavalry on the Vaughan road inflicting heavy loss. During these three days the Union loss was 187 killed, 900 wounded and 1,802 missing, while the Confederate loss is estimated at less than 1,000.*

On October 7 the Confederate infantry divisions of Field and Hoke and Gary's cavalry brigade attacked Kautz's cavalry division of 1,700 men which held the right of the Union line north of the James and drove it back under cover of the infantry with a loss of 274 men and 8 guns. Field's division followed and attacked the right of the 10th corps on the New Market road, but was repulsed. On the 13th General Butler made a reconnaissance of the Confederate works on the Darbytown road north of the James and one brigade assaulted, but this movement also was thwarted. On October 27, with the intention of extending his lines to the South Side Railroad and under the belief that the Confederate works around Petersburg extended only to the Boydton road crossing of Hatcher's Run and were feebly manned, Grant moved parts of the 9th, 5th and 2d corps together with Gregg's cavalry division, in all about 38,000 men, in three columns to the left. General Parke with the 9th corps went forward to surprise the Confederate right but found the works strongly held and re-

tired without attacking. On the left of the 9th the 5th corps crossed Hatcher's Run and endeavored to seize a bridge by which the Boydton road crossed that stream, but without success. The 2d corps and Gregg's cavalry forced a passage over Hatcher's Run by the Vaughan road and reaching the Boydton road moved down it to Burgess' Tavern near the bridge over Hatcher's Run about four miles above Armstrong Mill where the infantry was checked. Warren was then ordered to cross Crawford's division of the 5th corps and sweeping up the right bank of the stream to recross and attack the rear of the Confederate line while Griffin's division assaulted in front. At the same time Hancock was to carry the bridge in his front and gain some high ground beyond. At 4:30 P. M., when Hancock was extending his right to connect with Crawford and was about to assault the bridge, General Heth with his Confederate division and a part of Mahone's, having crossed Hatcher's Run and penetrated the interval between Hancock and Crawford, vigorously attacked Hancock's right and rear throwing it into some confusion and capturing many prisoners, though ultimately repulsed. At about the same time Hampton with five cavalry brigades made a futile attack on Hancock's left and rear and Gregg's cavalry. Meanwhile Crawford had crossed at Armstrong's Mill, but found great difficulty in moving up the bank of Hatcher's Run and failed to con-

* Humphreys, *The Virginia Campaign of '64 and '65*, p. 287 et seq.; Powell, *History of the Fifth Army Corps*; *Official Records*, vol. xlii.

nect with Hancock. As the entire movement had failed, the Union troops were withdrawn during the night and the next day moved back to the line of intrenchments. The Union loss was 1,194 killed and wounded and 564 missing. The Confederate loss is unknown.*

At the same time as a support to this movement Grant ordered Butler to make a demonstration north of the James River on Richmond designating parts of three divisions of the 10th corps under General Terry, six brigades of the 18th corps under General Weitzel and General Kautz's cavalry division for the movement. Terry was to demonstrate along the Darbytown road while Weitzel pushed through White Oak Swamp to reach the Williamsburg road and threaten Richmond. Early on the morning of October 27 the column started from camp near Chaffin's Farm. Terry reached the Darbytown road and a little before 8 A. M. a part of his command having crossed over to the Charles City road engaged the Confederates in their intrenchments from this road to the New Market road. After a march of 16 miles Weitzel, crossing both the Darbytown road and Charles City road, reached the Williamsburg road at Heintzelman's old works on the battle field of Seven Pines and pushed at once down the

road toward Richmond. After marching a mile and a half he came upon the Confederate works which appeared to be poorly manned and prepared to attack, first sending a brigade of colored troops across the York River Railroad to turn the Confederate left near the New Bridge road. General Longstreet held the defences north to the James with the divisions of Hoke and Field, some local militia under General Ewell and General Gary's cavalry brigade. On detecting Weitzel's movement Longstreet sent Field's division to the left to form on either side of the Williamsburg road. At 3:30 Weitzel with two brigades and others in support advanced on both sides of the road and was met with an unexpectedly heavy fire of musketry and artillery. The troops charged and almost reached the works but were repulsed with a loss of over 1,000 men, and soon after dark Weitzel withdrew. Meanwhile, at 4 P. M., Terry had pressed his demonstration and attempted to carry the intrenchments but without effect; accordingly, on the next day the expedition returned to camp. The Union loss was 905 killed and wounded and 698 missing, while the entire Confederate loss probably did not exceed 100.*

For more than a month there was comparative quiet. On December 6 General Warren with his own corps, Mott's division of the 2d and Gregg's

* *Official Records*, vol. xlii.; *Battles and Leaders*, vol. iv.; Walker, *History of the Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*, p. 293 et seq.

* Humphreys, *The Virginia Campaign of '64 and '65*, pp. 305-307.

cavalry started on a raid against the Weldon Railroad which was destroyed as far as Hicksville on the Meherrin River, about 40 miles south of Petersburg. A. P. Hill was sent to

intercept him but failed to do so and having completed his work Warren returned to his camp. Winter had now set in and both sides rested on their arms.

CHAPTER XLI.

1864-1865.

SHERIDAN IN THE VALLEY.

The gloomy aspect of affairs — Sheridan's appointment to command in the Shenandoah Valley — The engagements at Shepherdstown and Smithfield — The battles of the Opequon or Winchester, Fisher's Hill, Cedar Creek and Waynesboro.

Early in the summer of 1864 Lincoln visited the Army of the Potomac before Petersburg. At this time he was in a happier frame of mind than he had been for some time or would be for long months to come. On May 24 he had telegraphed to Governor Brough that everything looked favorable and even after the battle of Cold Harbor he could see nothing but success for Grant.* There were times, however, when Lincoln was very anxious and very sad because of the great loss of life. This was particularly true after the Battle of the Wilderness.† Still he believed in Grant and refused to advise him, leaving him to work out his own salvation. Others, however, took a more gloomy and pessimistic view of the existing situation. Chase said: "I do not see the recent military successes. * * * All

under God depends on Grant. So far he has achieved very little and that little has cost beyond computation. Still, my hope is in him. He seems the ablest and most persistent man we have."* On May 18 Grimes said: "We have suffered a terrible loss of killed and wounded (nearly fifty thousand) and Lee is in an impregnable position. * * * The news from different directions is not at all pleasant to me. I confess that just at this present writing I feel pretty blue."† On June 19 Grimes wrote: "Grant's campaign is regarded by military critics as being thus far a failure. He has lost a vast number of men and is compelled to abandon his attempt to capture Richmond on the north side and cross the James River."‡

Grant had been much annoyed and disturbed by the Confederate oper-

* Lincoln's *Complete Works*, vol ii., pp. 519-520, 525, 533.

† Carpenter, *Six Months at the White House*, p. 30.

* Warden, *Life of Chase*, p. 594.

† Salter, *Life of Grimes*, p. 262.

‡ *Ibid.*, p. 263.

tions in the Shenandoah Valley and had come to the decision that it should be made untenable for either army. He was possessed of the idea that it was necessary to have some one efficient commander in the department of West Virginia, Washington, Susquehanna and the Middle Department, and therefore on August 1 ordered General Philip H. Sheridan to the Shenandoah Valley. This brought a note of despair from Lincoln. On August 3 he wrote to Grant:

"I have seen your dispatch in which you say, 'I want Sheridan put in command of all the troops in the field with instructions to put himself south of the enemy and follow him to the death. Wherever the enemy goes let our troops go also.' This, I think, is exactly right as to how our forces should move; but please look over the dispatches you may have received from here even since you made that order, and discover, if you can, that there is any idea in the head of anyone here of 'putting our army south of the enemy,' or of 'following him to the death' in any direction. I repeat to you, it will neither be done nor attempted, unless you watch it every day and hour, and force it."*

Grant then paid a visit to the army of Hunter and suggested that he establish the headquarters of his department at Cumberland or Baltimore, leaving to Sheridan the command of the troops in the field. Hunter promptly offered to resign his position if better results could be secured and Grant eagerly accepted this generous self-sacrifice, telegraphing for Sheridan to come to the Monocacy.† Grant in a few words gave Sheridan the instructions he had pre-

pared for Hunter and returned to Petersburg.* On August 7 Sheridan formally assumed command and proceeded to carry out Grant's instructions. His army, called the Army of the Shenandoah, consisted of the 6th corps under Wright, the 19th corps under General Cuvier Grover, Crook's Army of West Virginia, Torbert's division of cavalry from the Army of the Potomac, and the reserve brigade under Charles R. Lowell, Jr. Moreover, Averell's division, Alfred Duffié's troops and J. H. Wilson's cavalry division from the Army of the Potomac were on the march to join him. Thus his army consisted of about 22,000 infantry fit for duty, and about 8,000 horse.† Sheridan entered vigorously upon his work. On the morning of the 10th he marched his army, which had been moved to Halltown near Harper's Ferry, toward Early's line of communication, whereupon Early abandoned Winchester on the 11th and fell back to Cedar Creek, Sheridan following the next day. At this place Early was reinforced by a division of infantry, two brigades of cavalry and a battalion of artillery from Lee's army, all under command of General R. H. Anderson, and resumed the offensive so aggressively with his cavalry that on the night of the 16th Sheridan withdrew his infantry and

* Grant, *Personal Memoirs*, vol. ii., p. 320.

† *Official Records*, vol. xxxvii., pt. ii., p. 582.
† *Ibid.*, vol. xxxvi., pt. i., p. 30; vol. xliii., pt. i., p. 719.

† Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 182-183; Pond, *The Shenandoah Valley*, pp. 120-121.

FEDERAL GENERALS.



From the original Brady negatives.

1. PHIL SHERIDAN.
4. JOSEPH HOOKER.
7. J. C. FREMONT.
10. E. R. S. CANBY.

2. W. T. SHERMAN.
5. W. S. ROSECRANS.
8. JOHN POPE.
11. JOHN A. LOGAN.

3. GEORGE H. THOMAS.
6. IRVIN McDOWELL.
9. Q. A. GILMORE.
12. W. S. HANCOCK.

the next day his cavalry, taking position near Berryville behind the Opequon, leaving his cavalry to cover the withdrawal. Wilson's cavalry division, Lowell's cavalry brigade and Penrose's brigade of New Jersey infantry (850 men) were ordered to cover the flank of the army in its march from Winchester to Berryville. The Jersey brigade was deployed along a small branch of the Opequon south of and near Winchester with dismounted cavalry on the flanks, the remainder of the cavalry being massed near the town. On the morning of the 17th Early pursued Sheridan from Cedar Creek and in the afternoon his advance, driving in the Union pickets, was checked and held by the Jerseymen until Wharton's division of infantry attacked their right and Ramseur's their front, while Gordon's division advanced against the cavalry. Under this pressure the Union line gave way about dark and fell back to Summit Point. The Jersey brigade lost 97 killed and wounded and about 200 prisoners, while 50 of the cavalry were captured.

Sheridan falling back to Halltown Early again occupied Winchester and then advanced to confront him. For some days both armies felt out each other's line, and suffered some losses. On the 25th with the four infantry divisions of Rodes, Ramseur, Gordon and Wharton with their artillery, Early went northward toward Shepherdstown, his cavalry at the same time moving on Williamsport to

convey the idea that an invasion of Maryland and Pennsylvania was contemplated. Between Lee Town, seven miles southwest of Shepherdstown, and Kearneysville, Early struck the cavalry divisions of Merritt and Wilson under Torbert, who had marched from Shepherdstown and Duffield's that morning on a reconnoissance to Lee Town. Torbert promptly attacked Wharton and drove him back in confusion nearly a mile, but Early brought up the rest of his command and after a sharp contest compelled Torbert to fall back, Wilson's division retreating by the route it had come and Merritt's by the direct road to Shepherdstown. Early followed Merritt so closely that when near Shepherdstown and on the Charlestown road Custer's Union brigade was directed to repel the Confederate advance; in this it succeeded, driving it back. But in turn Custer was struck in flank and rear by Gordon's division which had marched across the country. Devin's brigade was sent to Custer's relief and engaged Gordon, but Custer was cut off and after a sharp fight compelled to make his escape by way of the Shepherdstown Ford into Maryland. It was now dark; Merritt rejoined Wilson and both set out to join Sheridan. Early encamped near Shepherdstown and the next day moved back across the Opequon and on the 27th to Bunker Hill.*

* Pond, *The Shenandoah Valley*, pp. 121-140.

On August 28 Sheridan advanced his army from Halltown toward Charlestown and the Opequon. Merritt's cavalry division marched by way of Lee Town, attacked Fitzhugh Lee's cavalry at that place and drove it through the village back through Smithfield, West Virginia, and across the Opequon. The next morning Merritt crossed the Opequon and was on his way to beat up Early at Bunker Hill when he was attacked by the latter with the divisions of Ramseur and Gordon and driven back across the Opequon. There was an artillery duel across the stream and, the Confederate cavalry crossing, Merritt was driven from Smithfield and two miles beyond in the direction of Charlestown. Early reestablished his cavalry east of the Opequon and marched his infantry back to Bunker Hill. Late in the day Ricketts' division of infantry came to Merritt's assistance and drove the Confederate cavalry from Smithfield and across the Opequon, Merritt then resuming his position on the Smithfield bridge. The Union loss was about 35 killed and wounded and the Confederate loss 10 killed and 75 wounded.*

Several minor battles and counter demonstrations followed. On the night of September 18 Early had Ramseur's division and Nelson's artillery in position about one and a half miles east of Winchester across the Berryville road along an elevated plateau between Abraham Creek on the south

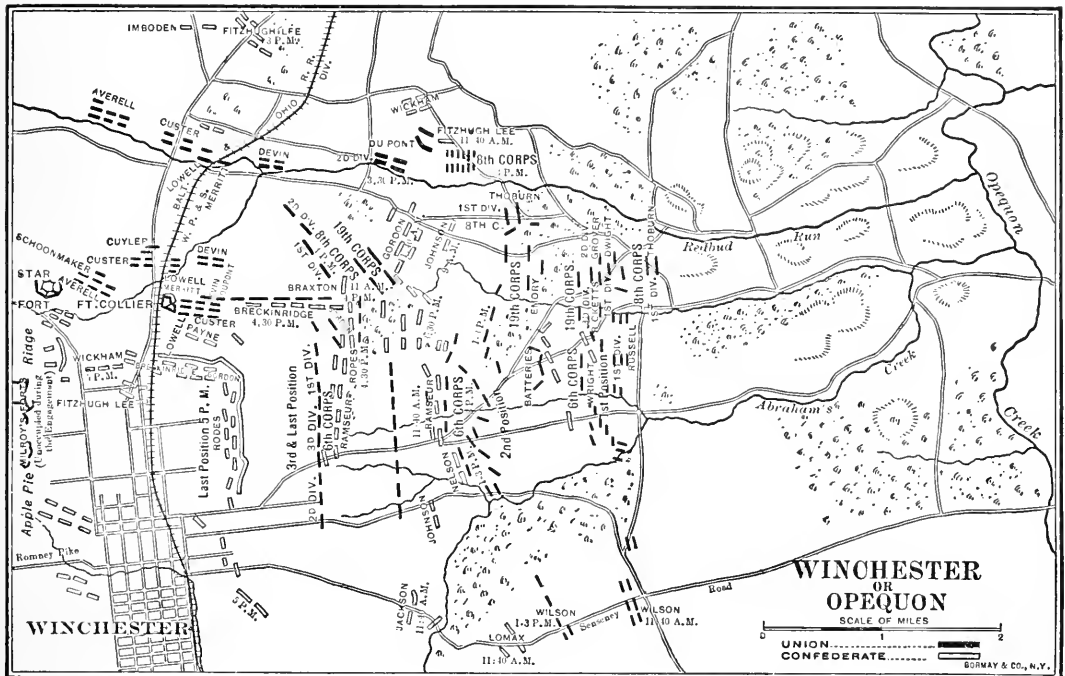
and Red Bud Run on the north. At Stephenson's Depot were the divisions of Rodes and Wharton with the batteries of Braxton and King while Gordon's division was at Bunker Hill under orders to join Rodes and Wharton by sunrise the next morning. Altogether Early had about 15,000 men. At Berryville, east of the Opequon, General Sheridan had about 38,000 cavalry and infantry. He had ordered a movement south of Winchester to Newtown, but when he heard that parts of Early's army were at Bunker Hill and Stephenson's Depot he ordered a direct attack on Winchester. Wilson's cavalry and the 6th and 19th corps were to move along the Berryville road while Torbert with Merritt's cavalry division moved to Shepherdstown Ford to join Averell's cavalry division which was to move up from Darkesville. The 8th corps under Crook was to act as a reserve at the crossing of the Opequon. Early on the morning of September 19 Wilson crossed the Opequon and cleared the way for the infantry. The 6th corps then came up and under a heavy artillery fire drew up a line in front of Ramseur. Wilson formed on the left of the 6th corps but it was nearly noon before Grover's division of the 19th corps came in on the right of the 6th with Dwight's division in reserve.

Meanwhile Early had concentrated his army. After the Union movement had developed itself Gordon and Rodes were ordered up from Stephenson's Depot and under cover of a piece

* Pond, *The Shenandoah Valley*, pp. 140-141.

of woods took position on Ramseur's left, Gordon being on the left of Rodes who had three brigades. Toward noon the Union line moved forward. A destructive fire was opened on them by Nelson's artillery on the Confederate right and by Braxton's on the left, and Early also ordered Rodes and Gordon to at-

forward through the woods and, finding a weak point in the Union line where the right of the 6th corps lay to the left of the 19th and being joined by the rallied brigades of Rodes' and Gordon's divisions, drove back Ricketts' division of the 6th corps and Grover's of the 19th and caused the remainder of the deployed line of the



tack the Union right. The 6th Union corps drove back Ramseur, while Grover's division of the 19th struck Gordon's left held by Evans' brigade and drove it back in disorder through the woods. Gordon followed to within musket range of Braxton's artillery which was without support, but Braxton opened with canister and checked Grover's advance. Moreover, Butler's brigade of Rodes' division moved

6th corps to fall back from the ravine from which it had just advanced. Russell's division of the 6th corps then charged forward to fill the gap caused by Ricketts' withdrawal and struck the Confederates in flank, driving them back with heavy loss. After the Union line had been reestablished there was a lull in the fighting. During the engagement Rodes and Russell were killed. Crook's 8th corps

was then formed on the right of the 19th corps, and charging, broke Gordon's division.

Meanwhile Wilson's cavalry on the left had driven Lomax's cavalry back toward the valley pike. On the right Merritt's cavalry division, after heavy skirmishing, had crossed the Opequon at Three Fords near the railroad crossing, but Wharton's division of infantry and King's battery which had advanced from Stephenson's Depot held Merritt in check. A severe contest lasting several hours ensued but Averell, moving up the pike from Darkesville to Stephenson's Depot, driving two brigades of cavalry before him, came into the rear of Wharton while he was engaged with Merritt, causing him to abandon his position and at 2 o'clock to fall back to Winchester where two of his brigades were put in reserve in rear of Rodes' division, one remaining to support the cavalry north of the town. Merritt then advanced and, joining Averell, both moved down on Early's left driving back the Confederate cavalry until Merritt joined Crook's right. Averell and Merritt then swung around to the rear of Early's left driving his cavalry through the infantry lines and compelling him to send two of Wharton's brigades to check this. Crook, who had driven Gordon, now advanced on Wharton's flank and was himself struck by a flank fire. At this juncture Early was obliged to yield ground. The divisions of Ramseur and Rodes were

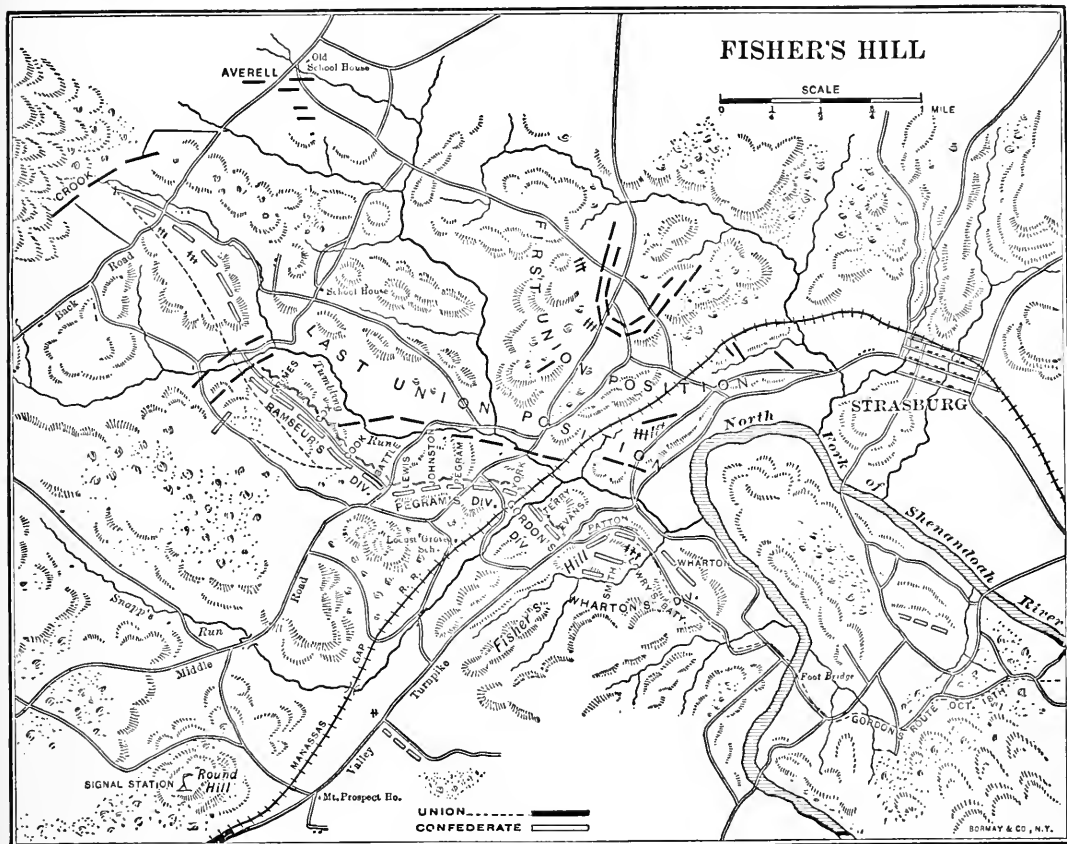
being steadily driven back by the 6th and 19th corps to Winchester, while the cavalry divisions of Averell and Merritt were forcing back the Confederate cavalry in some confusion. Finally after an unsuccessful attempt to hold an intrenched position covering the town (the road to Newtown being threatened) the whole Confederate line gave away and toward sundown retreated, followed by Sheridan's cavalry to Kernstown where Ramseur, who was rear guard, checked pursuit at dark. The next morning Early continued his retreat through Strasburg to Fisher's Hill, Sheridan following to Cedar Creek. The Union loss at the battle of Opequon was 697 killed, 3,983 wounded and 338 missing. The Confederate loss was 276 killed, 1,827 wounded and 1,818 missing, besides 5 guns and 9 colors.*

Wilson's cavalry division covered Sheridan's left and Averell's division his right. During the afternoon of September 20 Wright's 6th corps and Emory's 19th corps arrived at Cedar Creek and, after crossing, took position on the heights fronting Strasburg. Crook's 8th corps halted on the left bank of the creek. On September 21 Sheridan pushed through the town and drove Early's skirmishers to the

* Early, *Memoir of the Last Year of the War for Independence*; *Official Records*, vol. xlv.; Sheridan, *Personal Memoirs; Battles and Leaders*, vol. iv., pp. 500-519, 522-524; Pond, *The Shenandoah Valley*, pp. 153-172; Davies, *General Sheridan*; *Confederate Military History*, vol. iii., pp. 495-497; vol. iv., pp. 256-258.

intrenchments behind which were Wharton's division on the right and then in order the divisions of Gordon, Pegram and Ramseur with Lomax's division of dismounted cavalry on the extreme left. Fitzhugh Lee's cavalry was at Milford, 12 miles above Front

position near the Confederate works, intrenched, and put artillery in position. Early's right was too strongly posted to attack in front so Sheridan concluded to turn and assail his left. During the night of the 21st Crook crossed Cedar Creek and at daylight



Royal, guarding Luray Valley and Early's right. General Torbert with the cavalry divisions of Merritt and Wilson was sent by Sheridan to the Luray Valley to drive out any Confederates in that quarter and cross over from the Valley to New Market to intercept Early's retreat. During the afternoon the 6th corps, after a serious repulse, gained a commanding

marched in rear of and behind the right of the 6th corps. Ricketts' division of the 6th corps was pushed out and confronted the left of Early's infantry, ready to join Crook's left when he should attack. While Ricketts was threatening an assault in front, Crook marched unobserved into the dense timber on the eastern face of Little North Mountain until he gained the

rear of Early's works, when, facing to the left at sunset, he marched down the mountain. He was then discovered by the Confederates and the artillery was turned upon him, but it was too late. He struck Lomax's dismounted men in flank and rear and drove them back on Ramseur who attempted to change front but Ricketts' division attacked Ramseur while in this act, joined Crook's left, and the two commands moved along in rear of Early's intrenchments, the Confederates giving way all along the line. The swinging movement of Ricketts' division on the right was taken up from right to left and by night Early's army was in disorderly retreat. He retired four miles beyond Woodstock and Sheridan pursued all night. The Union loss was 509 killed and wounded, while the Confederate loss was about 1,400.*

On receipt of Early's report Lee ordered all available force to his support including Kershaw's infantry and Rosser's cavalry. He also wrote a letter of encouragement to Early and begged him to keep the enemy in check until he could strike with all his strength.† Sheridan had followed Early as far as Harrisonburg while his cavalry went as far as Port Republic, Staunton and Waynesboro.‡

* *Official Records*, vol. xlv.; Sheridan, *Personal Memoirs*, vol. ii.; Pond, *The Shenandoah Valley*, pp. 173-185; *Battles and Leaders*, vol. iv., pp. 510-512, 524-525; Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 297 *et seq.*; *Confederate Military History*, vol. iii., pp. 497-499.

† Long, *Memoirs of R. E. Lee*, p. 660.

‡ On these operations see Pond, *The Shenandoah Valley*, pp. 186-200.

In view of the difficulty of supplying his army so far from its base and of other operations by which two corps of infantry and a cavalry division of his army were to be sent to the Army of the Potomac, he holding only the lower valley of the Shenandoah, Sheridan, after ordering the destruction of all mills, barns, grain, forage, etc., began to withdraw down the valley on October 5 and on October 8 recrossed Tom's Brook. The Confederate cavalry divisions of Rosser and Lomax had persistently harassed Sheridan's rear and he ordered Torbert to turn about and whip the Confederate cavalry or be whipped himself. On the morning of the 9th Torbert fell upon Rosser and Lomax at Tom's Brook routing them after a two-hour contest and, pursuing several miles, captured over 300 prisoners, 11 guns and 40 wagons.* Sheridan then resumed his march down the valley halting on the north side of Cedar Creek on the 10th. Wright's 6th corps continued its course to Front Royal on the way to Washington and two days later marched toward Ashby's Gap, but was recalled to Cedar Creek where it arrived on the 14th. Early's force now numbered about 18,000 men, having been reinforced by Kershaw's division and about 600 cavalry. Under Lee's instructions to detain Sheridan in the valley Early had followed him, arriving at Fisher's Hill six miles from Cedar Creek on the 13th. Two days later Sheridan left for Washington to

* Pond, *The Shenandoah Valley*, pp. 202-203.

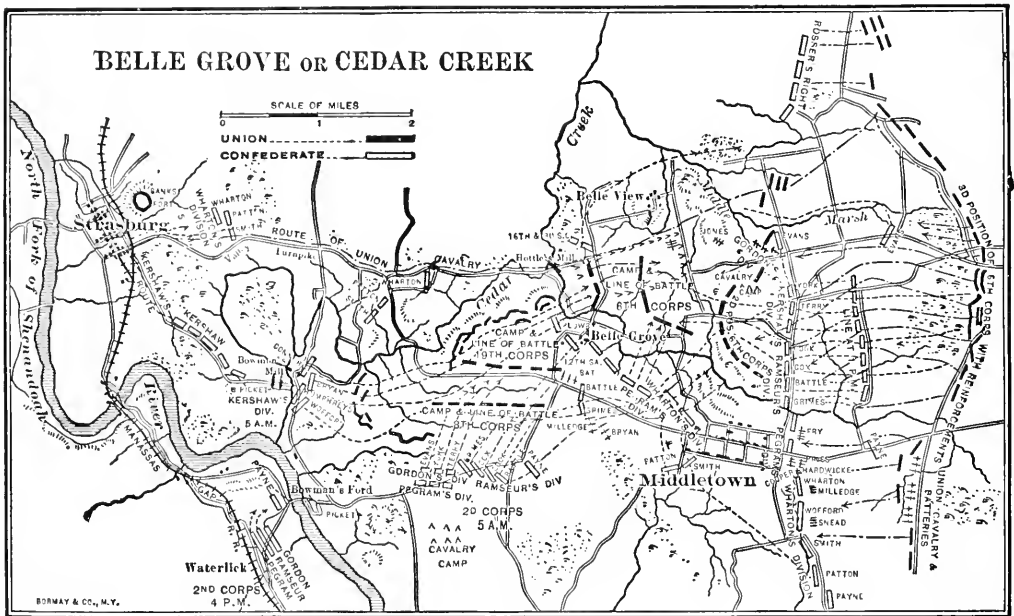
consult with Stanton and Halleck, leaving General H. G. Wright in command of the army. Sheridan's cavalry accompanied him to Front Royal from which point he intended to push it through Chester Gap to the Virginia Central Railroad at Charlottesville and raid the country east of the Blue Ridge, but upon erroneous information that Longstreet was moving to join Early the raid was abandoned and Torbert took the cavalry back to Cedar Creek. On the night of the 18th Emory's 19th corps was on the west side of the valley turnpike on elevated ground overlooking Cedar Creek. Wright's 6th corps in reserve to the right and rear of the 19th was separated from it by Meadow Brook. Merritt's cavalry division was on the right of the infantry and Custer's division one and a half miles beyond Merritt, watching the crossings of Cedar Creek and the roads on the right. On the east side of the pike was Crook's 8th corps, one of the divisions of which (Thoburn's) was on an intrenched hill a quarter of a mile in advance of the other division near the junction of the creek and the river, and both somewhat ahead of the 19th corps on the right. Two cavalry brigades of Powell's division were far to the left near Front Royal and one at Buckton Station two miles beyond Crook's left. The Union army numbered about 31,000.

A reconnoissance sent out by the 18th corps reported that Early had retreated from Fisher's Hill, but in-

stead Early was planning an attack. He had ascertained that the Union left was lightly picketted with only a small cavalry force on the north fork of the Shenandoah and that he could move infantry by night across the creek and through the woods to within less than half a mile of Crook's left and rear without being discovered. Accordingly Early sent out the divisions of Gordon, Ramseur and Pegram and Payne's cavalry brigade, all under command of Gordon, while he himself with the divisions of Kershaw and Wharton and all the artillery endeavored to crush the Union left and centre. Two brigades of cavalry were to demonstrate on the Union right and Lomax's cavalry moving by Front Royal was to strike the valley pike in the Union rear. At nightfall of the 18th the movement began. Gordon led his column across the north fork of the Shenandoah down its right bank and, again crossing below the mouth of Cedar Creek, reached his assigned position before daylight. Early led Kershaw across Cedar Creek midway between its mouth and the pike, and having captured or driven in the picket line rushed over the intrenchments held by Thoburn's division, surprised the camp, captured 7 guns, and then advanced on R. B. Hayes' division and Kitching's brigade. At the same time Gordon attacked Hayes' left and rear and the combined attack broke his division and Kitching's brigade and uncovered the left of the

19th corps, which was then assailed by the combined forces of Kershaw and Gordon. At the same time Wharton's division, moving swiftly down the pike, followed by 40 pieces of artillery, attacked the Union front, and the greater part of the 19th corps, abandoning 11 guns, was swept from the field. Wright then ordered the 6th

by the cavalry brigade from Buckton and by Torbert with the two cavalry divisions that had been ordered from the right to the left of the infantry line. The commanders of the 6th and 19th corps were told that the enemy would be attacked about 12 o'clock noon as soon as the troops could be re-supplied with ammunition.



corps under Ricketts, who was moving with two divisions to support the left, to fall back to another position and the 19th corps was ordered to rally on the right of the 6th. The Confederates followed up their advantage but were checked by the 6th corps, Wharton being badly repulsed. It was now 9 o'clock and Wright, having lost six guns of his own corps, withdrew to a more favorable position a mile and a half north and west of Middletown where he was joined

Meanwhile Sheridan, who had arrived at Winchester on the afternoon of the 18th, was hastening to the front, meeting on the way a stream of fugitives whom he ordered to turn back. He arrived on the field a little after 11 o'clock during a lull in the fighting, after Wright had reunited the divisions of the 6th corps which had been fighting by themselves during the morning, and after the 19th corps had been rallied and placed in line with parts of the 8th

corps, the only portion of the army seriously engaged being a division of the 6th corps and the cavalry, tenaciously holding the valley pike, the keypoint of the battle. The only change made by Sheridan was to send Custer's cavalry back to the right of the infantry. About 1 o'clock Early pushed forward his entire line but was quickly repulsed and then busied himself collecting his stragglers and getting his prisoners and captured guns back to Fisher's Hill, where he threw up a defensive line beyond reach of the Union artillery. At 4 o'clock Sheridan thought that Early meant to attack and ordered a general advance, the 19th corps on the right, the 6th on the left and the 8th in reserve, Custer's cavalry being on the right and Merritt's on the left of the infantry. After an obstinate fight during which parts of the Union line were repulsed, the Confederate line was broken near its left. Other parts of the line gave way and soon the entire army fled from the field across Cedar Creek. Sheridan's infantry followed as far as the creek and the cavalry pursued three miles beyond until dark, capturing guns, wagons, and many prisoners. With a few of his men Early rested at night in his intrenchments at Fisher's Hill and at 3 o'clock the next morning retreated to New Market, followed by Sheridan's cavalry as far as Woodstock. The 24 guns captured by Early were retaken and he also lost 23 of his own. The Union loss was 644

killed, 3,430 wounded and 1,591 missing. The Confederate loss was 320 killed, 1,540 wounded and 10 missing.*

This practically ended the valley campaign of 1864, no other general movements or heavy engagements occurring. Early remained in the vicinity of New Market until December 16, when he fell back to near Staunton, and Sheridan went into winter quarters at Kernstown. During the winter the greater part of Early's command was sent to Lee at Petersburg, leaving Early a very small force of infantry and cavalry. On February 27, 1865, Sheridan started from Winchester on his final campaign up the Shenandoah Valley under instructions from Grant to destroy the Virginia Central Railroad, the James River canal, capture Lynchburg if practicable and join Sherman wherever he might be found in North Carolina, or return to Winchester. Sheridan had Custer's and Devin's divisions of cavalry and two sections of artillery, about 10,000 officers and men, the whole commanded by General Merritt, his chief of cavalry. On March 1 he met Rosser's cavalry and promptly dispersed it, and on March 2 reached Staunton which had been abandoned by General Early who had fallen back

* *Official Records*, vol. xliii.; Sheridan, *Personal Memoirs*; Pond, *The Shenandoah Valley*, pp. 220-242; *Battles and Leaders*, vol. iv., pp. 512-521, 525-532; Keifer, *Slavery and Four Years of War*, vol. ii.; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 313-328; Early, *Memoir of the Last Year of the War*; Davies, *General Sheridan; Confederate Military History*, vol. iii., p. 503 *et seq.*; vol. iv., pp. 259-260.

eastward to a ridge west of and near Waynesboro where he could muster only two small brigades of infantry, Nelson's battery of six guns, and Rosser's cavalry, in all about 1,800 men. In completing the work of destruction at Staunton, Merritt followed Early and late in the afternoon, after some artillery fire, three of Custer's dismounted regiments moved around Early's left flank between it and South River, while two of his brigades charged in front. After a feeble resistance Early's troops fled in disorderly retreat, hotly pursued by the Union cavalry through Waynesboro and as far as the south fork of the Shenandoah and to Greenwood Station where five guns were captured and several loaded cars burned. Alto-

gether Merritt captured 1,450 officers and men, 11 guns, 200 loaded wagons and several battle flags. Early's army had entirely disappeared and Sheridan then moved unmolested to the Virginia Central Railroad which he destroyed for several miles. The rivers were too swollen for him to join Sherman and he therefore decided still more thoroughly to destroy the road bed and the James River canal and then to join Grant's army in front of Petersburg. Accordingly he divided his command, sending one part to destroy the James River canal and the other to destroy the railroad. This done, he marched on to White House on the Pamunkey River, where he arrived on March 19, and thence to the army before Petersburg.*

CHAPTER XLII.

1864-1865.

SHERMAN'S MARCH TO THE SEA.

Correspondence between Grant and Sherman regarding the proposed march — Forrest's movements — French's repulse at Allatoona — The surrender of Resaca — Sherman's orders for the march — The battle of Griswoldville — The havoc wrought by Sherman's army — The capture of Fort McAllister — Wood's evacuation of Savannah.

A plan of cutting the Confederacy in twain had been in Grant's mind for a long time, his objectives on the coast being Mobile and Savannah with Atlanta the intermediate objective for both. He had communicated his plan to Sherman and also sent to Halleck, Sheridan, Thomas and Banks a map outlining the territory which it was proposed to occupy by the campaigns

about to begin in the spring of 1864. Atlanta had been occupied on September 2 and Farragut had taken possession of Mobile Bay. Accordingly

* *Official Records*, vol. xlv. i.; Sheridan, *Personal Memoirs*, vol. ii.; Pond, *The Shenandoah Valley*, p. 243 *et seq.*; Early, *Last Year of the War*; Kellogg, *The Shenandoah Valley and Virginia, 1861-1865*; *Battles and Leaders*, vol. iv., p. 521 *et seq.*; Davies, *General Sheridan*; Burr and Hinton, *Little Phil and His Troopers*; Newhall, *With Sheridan in Lee's Last Campaign*.

on September 10 Grant telegraphed Sherman from City Point:

"As soon as your men are properly rested, and preparations can be made, it is desirable that another campaign should be commenced. We want to keep the enemy continually pressed to the end of the war. If we give him no peace while the war lasts, the end cannot be far distant. Now that we have all of Mobile Bay that is valuable, I do not know but it will be the best move for Major-General Canby's troops to act upon Savannah, while you move on Augusta. I should like to hear from you further on this matter."

Sherman at once replied: "If you can manage to take the Savannah River as high as Augusta or the Chat-tahoochee as far up as Columbus, I can sweep the whole State of Georgia; otherwise I would risk our whole army by going too far from Atlanta." Ten days later (September 20) Sherman gave Grant the conditions under which he could successfully coöperate in a movement on Savannah.

"If you will secure Wilmington and the city of Savannah from your centre and let General Canby have command over the Mississippi River and the country west of it, I will send a force to the Alabama and Appalachiecola, provided you give me 100,000 of the drafted men to fill up my old regiments; and if you will fix a day to be in Savannah I will insure our possession of Macon and a point on the river below Augusta."

For several weeks Grant and Sherman corresponded regarding the best plan of campaign and while so doing Sherman was greatly annoyed by Hood. On September 3 Hood had telegraphed Jefferson Davis asking for reinforcements, but Davis replied that none were on hand for that purpose. Hood thereupon decided to begin operations in Sherman's rear,* first

requesting Davis to remove Hardee from command under him. Davis disliked to take such action but finally appointed Hardee to the Department of South Carolina and Florida and placed Beauregard over Hood in command of his department and that of General Richard Taylor. The supersession of Hood by Beauregard involved at first no modification of the Confederate plans. Already on September 20 Forrest's cavalry had crossed the Tennessee near Waterloo, Alabama, and attacked the troops at Athens who surrendered the next day. Two regiments of reinforcements which arrived shortly after the capture of the garrison were also compelled to surrender to the Confederates. Forrest destroyed the railroad westward, secured the guards at Sulphur Bridge trestle, skirmished with the garrison at Pulaski and on the same day cut the Nashville and Chattanooga railroad near Tullahoma and Detchard. One column of Forrest's command under Buford appeared before Huntsville on September 30, but the next day, as the troops had refused to surrender, Buford withdrew in the direction of Athens, which town had been re-garrisoned, and attacked it on the afternoon of October 1 but without success. A similar attack the next day was disastrously repulsed. Another column under Forrest appeared before Columbia on October 1, but did not make an attack, and two days later moved toward Mount Pleasant. Thomas

* Hood, *Advance and Retreat*, p. 245.

made every exertion to catch and destroy Forrest's force before he could recross into Tennessee, but the Confederate general was too active for Thomas and escaped to Corinth, Mississippi.

In the meantime Hood had crossed the Chattahoochee from the Macon Railroad and moved on Allatoona. A division under General S. G. French was sent to capture that place, where were stored some 3,000,000 rations. Sherman, who had been engaged in active preparations to resist this threatened assault on his line of communications, had ordered General John M. Corse from Rome to Allatoona, his arrival increasing the garrison to nearly 2,000 men. French arrived before the place on October 5 and after a furious cannonade demanded its surrender. The attack was witnessed by Sherman from the crest of Kenesaw, 18 miles away, and he encouraged the defenders of the fort by means of signal flags. Finally General French came to the conclusion that he could not capture the place and at 3 o'clock retired.*

Hood then decided to move further north and again to strike the road between Resaca and Tunnel Hill, to destroy it completely, and then move in the direction of the Tennessee. He therefore marched through Dallas to Coosaville on October 11, crossed the Coosa River and marched upon Resaca and Dalton. Stephen D. Lee

with his corps moved on Resaca and demanded its unconditional surrender, saying: "If the place is carried by assault no prisoners will be taken." The commander at Resaca, Colonel Clark R. Weaver, replied: "If you want it come and take it."* Lee, therefore, did not attack the place. On the 13th Hood demanded and received the surrender and then marched in a westerly direction to Gadsden, Alabama, where he arrived on October 20 at which point he was joined by Beauregard. Sherman was eager to bring on a battle and followed as far as Gaylesville, but Hood shunned a fight, since he no longer trusted his troops.†

Sherman was now pretty nearly worn out by the pursuit of Hood. He had already sent Thomas to Nashville to protect Tennessee and thought that Thomas could handle Hood and his army while he himself marched southward. On October 1 he asked Grant:

"Why would it not do for me to leave Tennessee to the force which Thomas has and the reserves soon to come to Nashville and for me to destroy Atlanta and then march across Georgia to Savannah or Charleston breaking roads and doing irreparable damage. We cannot remain on the defensive."‡

On the 9th he wrote again: "Until we can depopulate Georgia it is useless for us to occupy it, but the utter destruction of its roads, houses and people will cripple their military resources. * * * I can make the march

* *Official Records*, vol. xxxix., pt. i., p. 753.

† Hood, *Advance and Retreat*, p. 263; *Official Records*, vol. xxxix., pt. iii., p. 913.

‡ *Official Records*, vol. xxxix., pt. iii., p. 3.

* Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 473-474.

and make Georgia howl.”* On the 11th he wrote that, instead of following Hood,

“I would infinitely prefer to make a wreck of the road and of the country from Chattanooga to Atlanta including the latter city, send back all my wounded and worthless and, with my effective army, move through Georgia smashing things to the sea. Hood may turn into Tennessee and Kentucky but I believe he will be forced to follow me. Instead of being on the defensive I will be on the offensive; instead of guessing at what he means to do, he would have to guess at my plans. The difference in war is fully 25 per cent.”†

After consultation between Grant, Lincoln, Stanton and Halleck, Sherman’s plans were approved on October 13.‡ In approving, Grant said: “If you are satisfied the trip to the seacoast can be made, holding the line of the Tennessee, you may make it, destroying all the railroads south of Dalton or Chattanooga as you think best.”

At this time Sherman did not believe that Hood would enter Tennessee. On October 30, however, Hood began his movement toward the north and caused considerable apprehension in the minds of Thomas and Grant. On October 26 Sherman had learned that Hood’s army had appeared before Decatur and as this indicated an invasion of Tennessee, he decided to strengthen Thomas, leave him to take care of Hood, withdraw his own army to Atlanta and prepare for a march to the sea, provided Grant’s consent could be obtained. He sent the 4th

and 23d corps back to Thomas and telegraphed on November 2 that—

“Thomas will have a force strong enough to prevent his [Hood’s] reaching any country in which we have an interest. * * * No single army can catch him and I am convinced the best results will result from defeating Jeff Davis’ cherished plan of making me leave Georgia by manoeuvring.”*

However, the previous day, in response to a telegram from Sherman representing that Hood’s whole force was only from 37,000 to 40,000 while Thomas would have from 63,000 to 70,000, and that he himself had retained only 50,000 for the proposed campaign, Grant replied:

“With the force, however, that you have left with General Thomas he must be able to take care of Hood and destroy him. I really do not see that you can withdraw from where you are without giving up all we have gained in territory. I say then go on as you propose.”†

Having obtained this permission Sherman pushed his preparations with the greatest energy. The entire population of Atlanta had already been deported;‡ the various divisions of the army designed for the march were concentrated at Atlanta; the garrison south of Chattanooga was withdrawn and the railroad destroyed. The machine shops and other buildings of Atlanta useful to the enemy for military operations were also demolished. Every command was carefully inspected and the physically un-

* *Official Records*, vol. xxxix., pt. iii., p. 594.

† *Ibid*, pp. 576, 594; Sherman, *Memoirs*, pp. 165-166.

‡ Regarding this see Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 465 *et seq.*; Hood, *Advance and Retreat*, pp. 229-242; Sherman, *Memoirs*, vol. ii., pp. 11-29.

* *Official Records*, p. 162. See also Sherman, *Memoirs*, vol. ii., p. 152.

† *Official Records*, p. 202.

‡ *Ibid*, p. 240.

sound were dispatched to Nashville. In the same way the horses, mules and trains were inspected.* Sherman started on November 15 with 62,204 officers and men. The right wing, General O. O. Howard, consisted of the 15th and 17th corps and the left wing, General H. W. Slocum, of the 14th and 20th. There was no Confederate army between Atlanta and Savannah and the men anticipated a "vast holiday frolic."† Wheeler's cavalry was active on the flanks guarded by Kilpatrick's cavalry, and a considerable force of militia was encountered at Griswoldville. The order for the march clearly presents its organization, its methods of living upon the country and the restrictions placed on its dealings with citizens, the last being the most important:

"The army will forage liberally on the country during the march. To this end, each brigade commander will organize a good and sufficient foraging party, under the command of one or more discreet officers, who will gather, near the route traveled, corn or forage of any kind, meat of any kind, vegetables, corn-meal, or whatever is needed by the command, aiming at all times to keep in the wagons at least ten days' provisions for his command, and three days' forage. Soldiers must not enter the dwellings of the inhabitants, or commit any trespass; but, during a halt or camp, they may be permitted to gather turnips, potatoes, and other vegetables, and to drive in stock in sight of their camp. To regular foraging-parties must be entrusted the gathering of provisions and forage, at any distance from the road traveled.

"To corps commanders alone is entrusted the power to destroy mills, houses, cotton-gins, etc.; and for them this general principle is laid down: In districts and neighborhoods where the army is unmolested, no destruction of such property should be permitted; but should guerillas or bush-

whackers molest our march, or should the inhabitants burn bridges, obstruct roads, or otherwise manifest local hostility, then army commanders should order and enforce a devastation more or less relentless, according to the measure of such hostility.

"As for horses, mules, wagons, etc., belonging to the inhabitants, the cavalry and artillery may appropriate freely and without limit; discriminating, however, between the rich, who are usually hostile, and the poor and industrious, usually neutral or friendly. Foraging parties may also take mules or horses, to replace the jaded animals of their trains, or to serve as pack-mules for the regiments or brigades. In all foraging of whatever kind, the parties engaged will refrain from abusive or threatening language, and may, where the officer in command thinks proper, give written certificates of the facts, but no receipts; and they will endeavor to leave with each family a reasonable portion for their maintenance.

"Negroes who are able-bodied and can be of service to the several columns may be taken along; but each army commander will bear in mind that the question of supplies is a very important one, and that his first duty is to see to those who bear arms.

"The organization, at once, of a good pioneer battalion for each army corps, composed if possible of negroes, should be attended to. This battalion should follow the advance-guard, repair roads and double them if possible, so that the columns will not be delayed after reaching bad places. Also, army commanders should practise the habit of giving the artillery and wagons the road, marching their troops on one side, and instruct their troops to assist wagons at steep hills or bad crossings of streams."*

Leaving Atlanta in ruins on November 15, the left wing under Sherman marched by Decatur, Stone Mountain and Covington, then turning toward Milledgeville, the capital of Georgia, which was the first objective and which was reached on the 22d. Meanwhile the right wing commanded by Howard had set out under instructions to threaten Macon and strike

* Sherman, *Memoirs*, vol. ii., p. 170.

† Cox, *March to the Sea*, p. 42.

* *Official Records*, vol. xxxix., pt. iii., p. 713.

the Savannah Railroad at Gordon, about 20 miles east. When Howard arrived at Clinton the cavalry advance made a demonstration on Macon and on November 21, 1864, the entire cavalry force under Kilpatrick took up an advanced position covering all the roads to Macon; and that day and the next all the troops and trains were closed up toward Gordon except the division under C. R. Woods which was directed to take up a strong position on the Irwinton road and threaten Macon and Griswoldville, 8 miles east. On the 22d, in coöperation with Kilpatrick's cavalry, a demonstration was made by Walcutt's brigade of 1,513 men and 2 guns. Some of Kilpatrick's cavalry were in advance of Walcutt and were fiercely attacked by the Confederate cavalry under Wheeler, but with Walcutt's assistance Wheeler was driven from the field and followed by Walcutt beyond Griswoldville. Walcutt was recalled from the pursuit to a position a little east of Griswoldville where, two miles in advance of his cavalry, he formed line along a slight rise of ground with Kilpatrick's cavalry on either side. Scarcely had he thrown up a rail barricade when the Confederate infantry attacked him. That morning under Hardee's order, General G. W. Smith in command of a body of Georgia militia that had been concentrated at Macon, directed General Phillips with a division of infantry and a battery to march from Macon to Gordon and take train for Augusta.

He was to halt before reaching Griswoldville to await further orders and not to become engaged with the enemy but to fall back to the fortifications at Macon. Upon hearing of Walcutt's position, however, Phillips attacked him with four brigades, at the same time opening destructively with his artillery. At 2 o'clock the Confederate militia charged to within 75 yards of Walcutt's line but were driven back, and after several other charges had been repulsed in the same manner Phillips abandoned the field, leaving his dead and wounded. The Union loss was 13 killed, 69 wounded and 2 missing. The Confederate loss was 51 killed and 472 missing.*

On November 24 the march was resumed with Millen as the next objective, the two wings following the general line of the railroad. On December 3 Millen was reached and the army then started by the four main roads toward Savannah. The effort of the Confederate authorities to organize a force at Augusta to attack Sherman in flank failed and Wheeler's cavalry was practically the only force met with during the march. McLaws' division of Hardee's corps had advanced to Ogeechee Church, but upon Sherman's approach fell back to the city. On December 9 and 10 several Union corps reached the defences of Savannah and occupied a line from the Ogeechee River on the right to the

* *Official Records*, vol. xlv.; *Battles and Leaders*, vol. iv., pp. 664, 667; Cox, *March to the Sea*, pp. 30-31.

Savannah River on the left. Hardee occupied the city with a little less than 10,000 men while Sherman's effective force numbered a little over 60,000. Sherman had started out with over 62,200 officers and men, but on the march 103 had been killed, 428 wounded, 278 missing and 1,338 captured, so that he reached Savannah with 60,057.

The march had cut a swath of many miles in width through the richest part of Georgia. The heads of the columns and the flanks swarmed with foraging parties, and a country which was daily scoured to supply food for an army of 60,000 soldiers was of necessity stripped of provisions and everything else needed for the use or comfort of the army.* The crops had been large and had just been gathered and laid by for the winter and as the section had never before been visited by an army, the land was rich in provisions and forage.† Though Sherman attempted to have this foraging done in an orderly manner, the discipline was poor and there were men enough in the army who became robbers and officers enough who winked at their irregularities and shared the loot to make the march a terrible scourge.‡ While orders had been issued forbid-

ding the foraging parties to enter occupied private houses or to meddle with private property not included in supplies and munitions of war, it is certain that a large amount of robbing and pillaging was done, which Sherman mildly censured as follows: "A little loose in foraging they 'did some things they ought not to have done.' "§ But destruction was a part of the business of the army to impress upon the Georgians that war was a horrible thing. He said that the people of Georgia —

"don't know what war means, but when the rich planters of the Oconee and Savannah see their fences and corn and hogs and sheep vanish before their eyes they will have something more than a mean opinion of the 'Yanks.' Even now our poor mules laugh at a fine corn field and our soldiers riot on chestnuts, sweet potatoes, pigs and chickens." †

Probably the most important task before Sherman was the severing of railroad communication between the Gulf States and Richmond so as to cut off Lee's source of supplies, the greater portion of which came from Georgia. Nearly 300 miles of railroad were destroyed; the bridges and trestles were burned and the masonry of the culverts was blown up. Stations and machine shops along the lines were burned and a large number of cotton-gins and presses, together with thousands of bales of cotton, were destroyed.‡ At Milledgeville Sherman burned the railroad, buildings

* In the connection see T. M. Maguire, *A Study in Devastation. General Sherman in Georgia in 1864*, in *National Review*, vol. xxxvii., pp. 901-912 (London, 1901).

† *Official Records*, vol. lxiv., p. 727; Cox, *The March to the Sea*, pp. 38-40; Sherman, *Memoirs*, vol. ii., p. 182.

‡ Cox, *March to the Sea*, p. 40.

* *Official Records*, vol. xlv., p. 14.

† *Ibid*, vol. xlv., pp. 76, 159, 792.

‡ See the reports of Howard and Slocum in *Official Records*, vol. xlv., pp. 76, 159, 792.

and the arsenals, but left the State house and governor's mansion unharmed. At Millen the railroad depot, a hotel and three or four large store-houses were burned.* In a report of January 1, 1865, Sherman estimated the damage done to the State of Georgia and its military resources at \$100,000,000, adding: "This may seem a hard species of warfare but it brings the sad realities of war home to those who have been directly or indirectly instrumental in involving us in its attendant calamities."† Sherman and Cox both admit that there was much lawless foraging and pillaging, much of which was done by the "bummers"—stragglers and adventurers‡ who were under no military control, kept entirely away from the line of march, and avoided camps. Several proclamations and exhortations were issued to the people of Georgia calling upon them to defend their native soil and expel the invader. They were exhorted to remove all stores, horses, cattle, etc., to burn bridges, block up the roads in Sherman's route, and assail the invader in front, flank and rear by day and night.¶ But the people showed "little spirit"§ and inasmuch as the Confederacy was a mere shell¶ it was impossible to oppose Sherman with an effective force.

For more than a month the world had practically lost sight of Sherman* and there was much anxiety in the North for his safety. Grant never doubted the result but stated that he "would not have entrusted the expedition to any other living commander."† On December 9 Howard had sent a brief dispatch when the army was within ten miles of Savannah, but the anxiety was not relieved entirely until word was received from Sherman himself that he had captured Fort McAllister, which dispatch was received at Washington on December 18.‡

Fort McAllister had been erected by the Confederates at Genesis Point, 12 miles south of the city, and 6 miles from Ossabaw Sound. This fort prevented communication between Sherman's army and the Union fleet, and Sherman determined to reduce it by assault, assigning his own favorite division of the 15th corps to this task. Hazen reached the vicinity of the fort about 11 A. M. on December 13 and drove in the Confederate skirmishers, but was not ready for the assault until late in the afternoon. At 4:15 nine regiments were deployed within 600 yards of the work and when the bugle sounded the line went forward over exploding torpedoes and under a close and severe fire of artillery and musketry, completing the capture at 5 P. M. when about 250 men surrendered.

* *Official Records*, p. 789.

† *Ibid.*, p. 13.

‡ Sherman, *Memoirs*, vol. ii., p. 182; Cox, *March to the Sea*, p. 40.

¶ *Official Records*, vol. xlv., pp. 867-869.

§ *Ibid.*, p. 884.

¶ Pollard, *Last Year of the War*, p. 130.

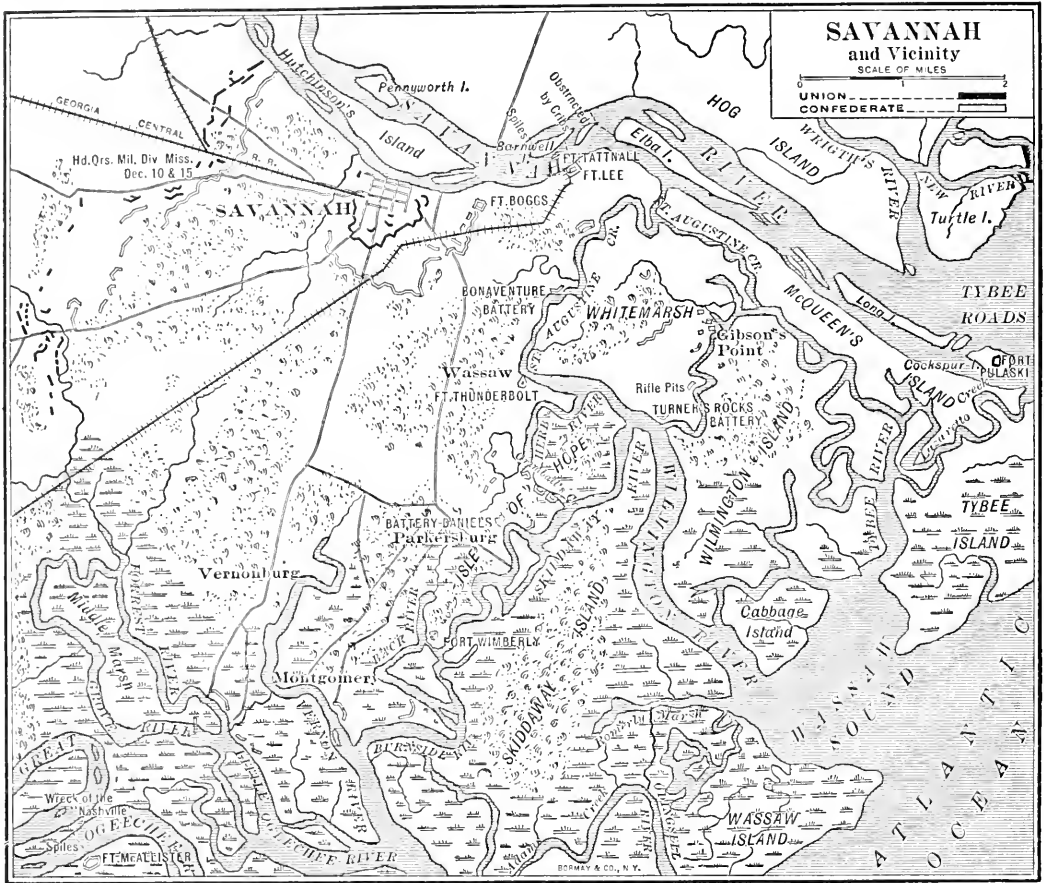
* *Official Records*, vol. xlv., p. 884.

† *Ibid.*, p. 740.

‡ *Ibid.*, p. 700.

Hazen also secured 22 guns and a large amount of ammunition with a loss to himself of only 24 killed and 110 wounded. Besides the prisoners the Confederates lost about 50 killed and wounded.*

River, General Slocum had captured two steamboats and sent a force to Hutchinson and Argyle Islands just above the city. He sought permission to transfer a corps to the left bank of the river to close Hardee's only line

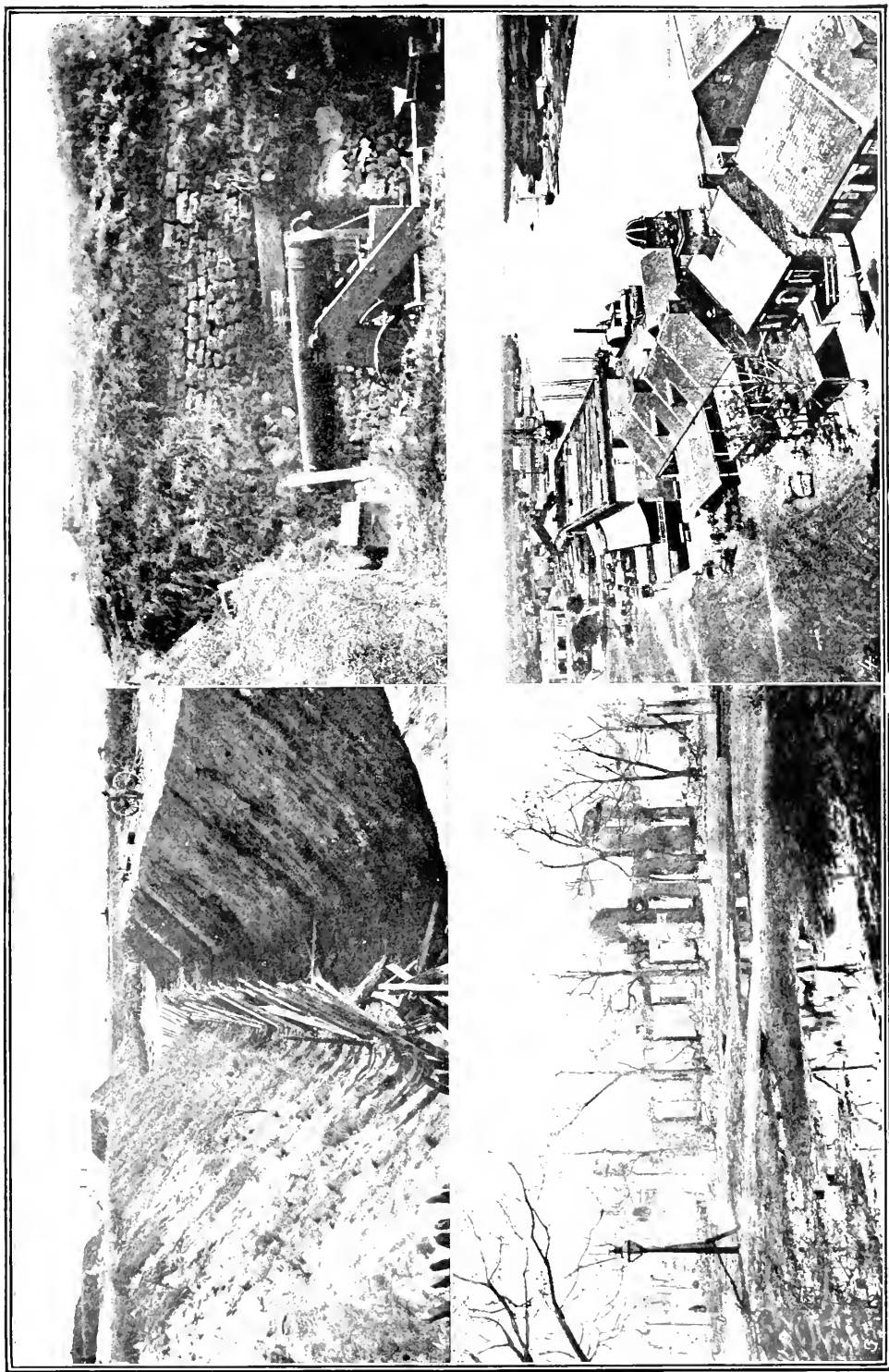


This success gave Sherman communication with the fleet under Dahlgren which was awaiting him with supplies and mail for the army. On establishing his flank on the Savannah

of escape, a brigade under Colonel E. A. Carman having already been sent to the South Carolina shore.* Sherman did not think this prudent and as a result Hardee withdrew his entire force intact and without molestation. On December 17 Sherman sent a flag of truce demanding Hardee's

* See also Sherman, *Memoirs*, vol. ii., pp. 197-198; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 488-489; Cox, *March to the Sea*, pp. 54-55; *Confederate Military History*, vol. vi., pp. 367-369.

* Cox, *March to the Sea*, p. 57.



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1. SECTION OF THE DITCH AT FORT McALLISTER SHOWING THE PALISADING OVER WHICH SHERMAN'S TROOPS HAD TO CLIMB WHEN ASSAULTING THE FORT. 2. ONE OF THE GUNS OF FORT McALLISTER. 3. AN EXCELLENT EXAMPLE OF SHERMAN'S DECLARATION THAT "WAR IS HELL," ONE OF THE HOMES DEVASTATED BY FIRE AFTER THE OCCUPATION OF SAVANNAH BY SHERMAN'S ARMY. 4. THE WATER FRONT AT SAVANNAH IN 1865

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surrender, stating that his guns could cast "heavy and destructive shot as far as the heart of the city," that he had completely shut off Savannah its sources of food supply, and that he would "grant liberal terms to the inhabitants and garrison; but should I be forced to resort to assault and the slower and surer process of starvation, I shall then feel justified in resorting to the harshest measures and shall make little effort to restrain my army."* Hardee returned a defiant reply saying that he was not shut in but had free and constant communica-

tion with his department. Nevertheless, Hardee found his position untenable and on the night of December 20 evacuated Savannah.* At daybreak of the 21st Geary's division of the 20th corps, being the nearest to the town, occupied the city and the next day Sherman formally took possession. On the 22d he telegraphed Lincoln: "I beg to present you as a Christmas gift the city of Savannah with one hundred and fifty heavy guns and plenty of ammunition and also about twenty-five thousand bales of cotton."†

CHAPTER XLIII.

1864.

FRANKLIN AND NASHVILLE.

Forrest's raid on Johnsonville — Hood's invasion of Tennessee — The engagement at Spring Hill — The battle of Franklin — Hood's disastrous defeat at Nashville — The engagement at Russellville — Stoneman's raid from east Tennessee to southwestern Virginia — The attack on Saltville.

After General Sherman had started from Atlanta on his march to the sea, General Hood advised a counter scheme of invasion. He decided to cross the Tennessee at Guntersville, to destroy Sherman's communications, to move upon Thomas and Schofield and rout and capture both their armies before they could reach Nashville. He then intended to conduct a campaign into Kentucky and Ohio.† His army was recruited up to its full

strength until it numbered from 40,000 to 45,000, its three corps being

* *Official Records*, vol. xlv., p. 974; Cox, *March to the Sea*, p. 60.

† *Official Records*, vol. xlv., p. 783. In addition to the works cited on the march to the sea see also Force, *Life of Sherman*; Coppée, *Life of Thomas*; Jones, *Siege of Savannah*; Nichol, *The Story of the Great March*; Taylor, *Destruction and Reconstruction*; Van Horne, *Army of the Cumberland*, and *Life of Thomas*; Alfried, *Life of Davis*; Davis, *Rise and Fall of the Confederate Government*, vol. ii.; Roman, *Life of Beauregard*; Hood, *Advance and Retreat*; Boynton, *Sherman's Historical Raid*; Schofield, *Forty-Six Years in the Army*; William H. Peck, *The McDonalds*; or, *The Ashes of Southern Homes — A Tale of Sherman's March* (1867); William T. Sherman, *General Sherman's Official Account of*

* Sherman, *Memoirs*, vol. ii., pp. 210-211.

† Hood, *Advance and Retreat*, p. 268; *Battles and Leaders*, vol. iv., p. 425 et seq.

commanded by Generals S. D. Lee, B. F. Cheatham and A. P. Stewart. There was also a body of cavalry under Forrest variously estimated at from 6,000 to 12,000. On November 1 Thomas' force was much inferior to that of Hood's, his movable force being estimated at 22,000 infantry and about 4,000 cavalry. Later, however, his army was much increased. It consisted of two divisions of the 23d corps under Schofield and three divisions of the 4th corps under Stanley, with the cavalry under General J. H. Wilson. As soon as Thomas learned that Hood had appeared in force on the Tennessee, Schofield and Stanley were ordered to concentrate at Pulaski, but before this could be done Forrest had made an attack at Johnsonville, one of Thomas' bases of supplies on the Tennessee River, destroying several transports and a large amount of government property. Schofield arrived at Nashville on November 5 and immediately sent an advance corps to Johnsonville by rail, but on arrival they found that Forrest had retreated. Schofield left a sufficient garrison at the place and with the rest of his command joined the 4th corps at Pulaski.

It was after the Confederates had learned of Sherman's intentions to march to the sea that Beauregard ordered Hood on November 17 to take

the offensive.* Three days later Beauregard telegraphed Hood to the same effect and on November 21 the latter began his movement northward from Florence, Alabama, appearing before Columbia on the 26th. Forrest's cavalry was on the Mount Pleasant pike almost in sight of the town, when Cox's division moved at double quick time, marched across the Pulaski road and held back the Confederates until Stanley's head of column arrived and took up a position covering the approaches to the town from the south. Disappointed in his first effort to march around Schofield, Hood determined to cross the river some distance above Columbia and move upon Schofield's line of communications at Spring Hill. During the night of the 27th Schofield withdrew to the north bank of the river where he remained on the 28th. The two divisions of the 23d corps were placed in position in front of Columbia holding all the crossings of the river in the vicinity with Stanley's 4th corps in reserve on the Franklin pike ready to move whenever Hood should attempt a crossing above or below the town. Wilson's cavalry held the crossings above those guarded by the infantry. Forrest succeeded in crossing one of his divisions above Columbia at noon of the 28th, pushing Wilson's cavalry back on roads leading toward Spring Hill and Franklin, and Hood began crossing his in-

his Great March through Georgia, etc. (1865); S. H. M. Byers, *The March to the Sea*; S. M. Bowman, *Sherman and His Campaigns*, Johnson, *Life of Sherman*.

* *Official Records*, vol. xlv., pt. i., p. 1215; Hood, *Advance and Retreat*, p. 277.

fantry at daylight of the 29th at Huey's Mills, 5 miles above Columbia.

At the very same hour Schofield sent Colonel P. S. Post's brigade up the river to ascertain if Hood had really crossed and ordered Stanley with the two divisions of Nathan Kimball and G. D. Wagner and the reserve artillery to Spring Hill to cover that point and hold the road open for the passage of the entire army. At 8 A. M. Stanley was on the march. On reaching Rutherford's Creek, four miles from Columbia, Kimball's division was halted and faced east to cover the crossing against a possible attack. Stanley with Wagner's division pushed forward and at noon was within two miles of Spring Hill, at which time he was informed that Buford's division of Forrest's cavalry was approaching from the east. The troops were quickly thrown forward and L. P. Bradley's brigade was sent ahead half a mile to occupy a wooded knoll commanding all the approaches from the east. The other two brigades were on the north, and the greater part of the artillery was posted on a rise of ground south of the town. Scarcely had these dispositions been completed when Hood moved to his attack.

Before sunrise Cheatham's corps, with Cleburne's division in advance, began crossing the river, Hood accompanying Cleburne on the direct road to Spring Hill. Cheatham was followed by Stewart's corps and Johnson's

division of Lee's corps, Lee himself with the remainder of his corps being left in front of Columbia. About 3 P. M. Cleburne approached Spring Hill and unavailingly assaulted Bradley twice, but in a third attack on front and flank Bradley was severely wounded and his brigade driven to the edge of the village where it was rallied and put in position to cover the wagon train, part of which had reached Spring Hill. Cleburne attempted to follow up his advantage but was checked by the fire of eight pieces of artillery. Bradley's loss was about 150 killed and wounded and the Confederate loss a little more. Bradley's reorganized force made so stout a resistance that at sunset Hood abandoned the attack. The result was that the Confederate infantry was checked when within 800 yards of the Franklin road but their cavalry had gained the road both north and south of the town. Stanley with his one division of about 4,000 men was now in a critical position; his nearest support was Kimball, more than eight miles to the rear, while the other divisions of the army were still at Duck River. Fortunately for Stanley and the whole Union army Hood's plans to gain the road miscarried and Cheatham's corps bivouaced not more than half a mile from the road over which Schofield's army was obliged to pass from Columbia to Franklin. After dark Stewart arrived and formed on Cheatham's right, and by 8 o'clock

two corps of Hood's army were in position facing the road and not over half a mile from it.

Meanwhile Schofield, who had remained during the day at Columbia, started in the afternoon with Ruger's division of Whitaker's brigade for Spring Hill, when about three miles from the town he came upon the Confederate cavalry holding the road and after a skirmish drove it off. Leaving Whitaker to cover a cross road a mile or two below the town, Schofield continued his march with Ruger to Spring Hill where he arrived about 7 p. m. and two hours later moved on to force a passage at Thompson's Station. On his approach the Confederates withdrew, leaving clear the road to Franklin, and Ruger took possession of the crossroads. Schofield returned to Spring Hill where, meanwhile, Cox had arrived with his division of the 23d corps. Just before midnight Cox was ordered to start for Franklin and to take Ruger with him. By 1 o'clock on the morning of the 30th Cox was on the road and was soon followed by the train of 800 wagons. As the head of the train passed Spring Hill the Confederate cavalry attacked it and destroyed some wagons, but Wood's division which had followed Cox from Duck River drove off the enemy. Kimball's division followed Wood's and at 4 a. m. Wagner followed Kimball, his skirmishers remaining until nearly daylight. The rear guard consisted

of Opdycke's brigade and not a man nor a wagon was left behind.*

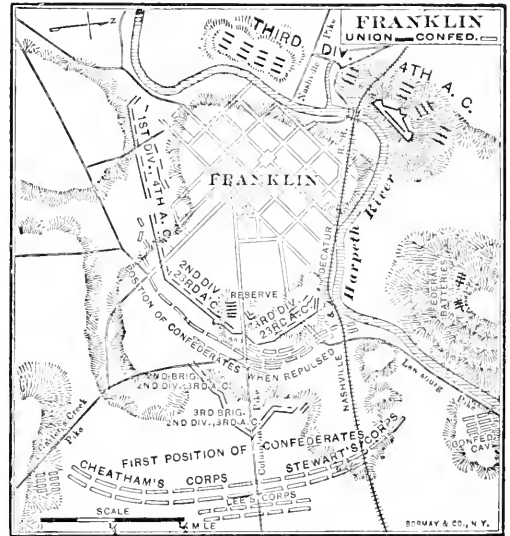
Schofield threw up a line of intrenchments and a division of the 4th corps under Stanley crossed to the north bank of the river, all those remaining in the works south of it being under command of General Cox. By noon the trains were all in and most of them crossed to the north bank. Not anticipating a general attack Schofield gave orders for the withdrawal of the troops at sunset. He was mistaken as to the intention of Hood, however, for the latter, smarting under his disappointment at the failure at Spring Hill, had girded himself for a last supreme effort. Forrest's cavalry had followed Schofield's rear and when Wagner's division, acting as Schofield's rear guard, had halted and thrown up barricades about 250 yards beyond the main line, Hood rapidly advanced his infantry and ordered a desperate assault to drive the Union forces into the river.† Two of Wagner's brigades were on either side of the Columbia road. Opdycke's brigade had come into the main line and was massed 200 yards in rear of the intrenchments. Wagner's orders were "to develop the enemy but not to attempt to fight if threatened by too strong a force."

* *Official Records*, vol. xlv.; *Battles and Leaders*, vol. iv., p. 428 et seq.; Van Horne, *History of the Army of the Cumberland*, vol. ii.; Cox, *The March to the Sea — Nashville and Franklin*, chap. iv.; *Confederate Military History*, vol. viii., pp. 145-154 and biographies of Thomas, Forrest and the other generals engaged.

† Hood, *Advance and Retreat*, p. 292.

Hood formed his lines on either side of the Columbia pike, Cleburne's and Brown's divisions of Cheatham's corps on the east and west sides of the road respectively in two lines of battle. When within 400 yards of Wagner's line at 3:30 P. M. of November 30, the charge was ordered and the Confederates rushed forward with an impetus scarcely exceeded in any battle. Wagner was enveloped on both sides and fiercely attacked in front; the Confederates rushed over the barricades and the Union troops gave way in the greatest disorder, pursued by the exulting Confederates. A gap of 1,000 feet was at once made in the Union lines and toward this point Hood's battalions were rapidly converging. General D. S. Stanley, commanding the 4th corps, had sent the Confederate advance from the north side of the river and instantly started for his line. He reached it just as the breach was made and the confused mass of fugitives and Confederates bore to the rear. Opdycke's brigade immediately coming to the rescue. Deploying as they advanced, his troops rushed upon the Confederates, who by this time had carried the centre of the 23d corps' line for the length of a brigade, had gone over the works, captured two batteries and many prisoners and reached an inner line of intrenchments 68 yards in the rear of the main line. When Opdycke's troops met the Confederates a desperate hand to hand encounter took place resulting in the

retreat of the Confederates to the outer line of works, the capture by Opdycke of nearly 400 prisoners and 9 battle flags, and the recovery of the captured batteries. Meanwhile the battle had extended to the right and left involving all of the 23d corps and the left brigade of Kimball's division. The Confederates reached the works in many places but were unable to carry them. On both sides the fight-



ing was most gallant, Opdycke leading his men to the charge. On this terrible afternoon at Franklin, Hood's army suffered all it was able to endure. The Confederates engaged numbered about 22,000 and Hood admitted a loss of about 4,500,* but Thomas reports the total loss at 6,252, of whom 1,750 were buried on the field, 3,800 were disabled and placed in hospitals, and 702 captured. It is probable also that about 2,000 were

* Hood, *Advance and Retreat*, p. 330.

slightly wounded. The Union army, including cavalry, numbered about 23,000, of whom 189 were killed, 1,033 wounded and 1,104 missing, Wagner's unfortunate division losing 1,241 of this number.*

On the night of November 30 Schofield withdrew to Nashville and on the morning of December 1 Thomas' army was united. A part of A. J. Smith's veteran division arrived at Nashville during the battle of Franklin, but not in time to be sent to Schofield. The rest of his division and General Steedman's division from Chattanooga arrived on December 1.

* *Official Records*, vol. xlv.; Jacob D. Cox, *The Battle of Franklin* (1864), and *The March to the Sea—Franklin and Nashville*, chap. v.; *Battles and Leaders*, vol. iv., p. 429 *et seq.*; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 16-21; Schofield, *Forty-Six Years in the Army*; Van Horne, *Life of Thomas*; Wyeth, *Life of Forrest*; Van Horne, *History of the Army of the Cumberland*, vol. ii.; Stephen D. Lee, *Johnson's Division in the Battle of Franklin*, in *Mississippi Historical Society Publications*, vol. vii., pp. 75-83 (1903); Levi T. Scofield, *The Retreat from Pulaski to Nashville, Tenn. (Battle of Franklin, Tenn., 1864)*. For the losses see Livermore, *Numbers and Losses*, p. 131. "The whole plan, which had originated in the brain of President Davis, to compensate for the enemy's offensive movement in Georgia by penetrating Tennessee was outrageously foolish, from the simple consideration that the two invasions were necessarily unequal; for that into the enemy's country could not seriously affect his super-abundant resources, while that into the southern interior went right into the heart of the Confederacy; and having once passed the frontiers, on which the South had necessarily thrown all its resources in men, was destined to realize General Grant's assertion, that the Confederacy was merely a shell."—Pollard, *Last Year of the War*, p. 130. See also *Confederate Military History*, vol. v., pp. 343-345; vol. vii., pp. 217-219; vol. viii., pp. 154-161; vol. ix., pt. ii., pp. 154-155.

The day after the battle of Franklin, Hood advanced and established his lines in front of Nashville. Not until Hood appeared before Columbia with the entire army that had confronted the three armies under Sherman, reinforced with Forrest's cavalry, and it was realized that Schofield was fighting a gallant, almost desperate, game to hold Hood back while Thomas was working energetically to organize his own forces, did the authorities at Washington and City Point realize that Thomas had been left with wholly inadequate resources. In reply to a telegram from Grant directing him not to let Forrest escape, General Thomas on November 24 stated that the Confederate army so greatly outnumbered his own that he was compelled to act on the defensive. All of his own cavalry had been dismounted to furnish horses for Kilpatrick's cavalry which had gone with Sherman's army. Moreover, 15,000 of his veterans had been discharged by expiration of service and only 12,000 perfectly raw troops had been sent him. This created a feeling of panic at Washington, or it was feared that Hood might avoid Thomas, cross the Cumberland and carry out Davis' plan to have him push on to the Ohio. This fear redoubled when the necessity appeared for Schofield to retire from Franklin. It was not then so clearly seen as it was afterwards that his stubborn fight against Hood had saved the situation which Sherman created.

their forward salient being within three-eighths of a mile of the Union centre. The Union lines extended from the river above the city to the river below it. The Confederate lines were compact between the Murfreesboro Railroad at their right and the Hillsborough turnpike which ran



south from the centre of the city, across the Union centre. Thus the Confederate lines covered less than half of the Union position. Cheat-ham's corps formed the centre and Stewart's corps the left. More than half the inner line was held by quartermasters' employés under Q. M. G. Donaldson and the rest of that line by new troops under General J. F. Miller. The right of the advanced Union

† *Official Records*, vol. xlv., p. 114.

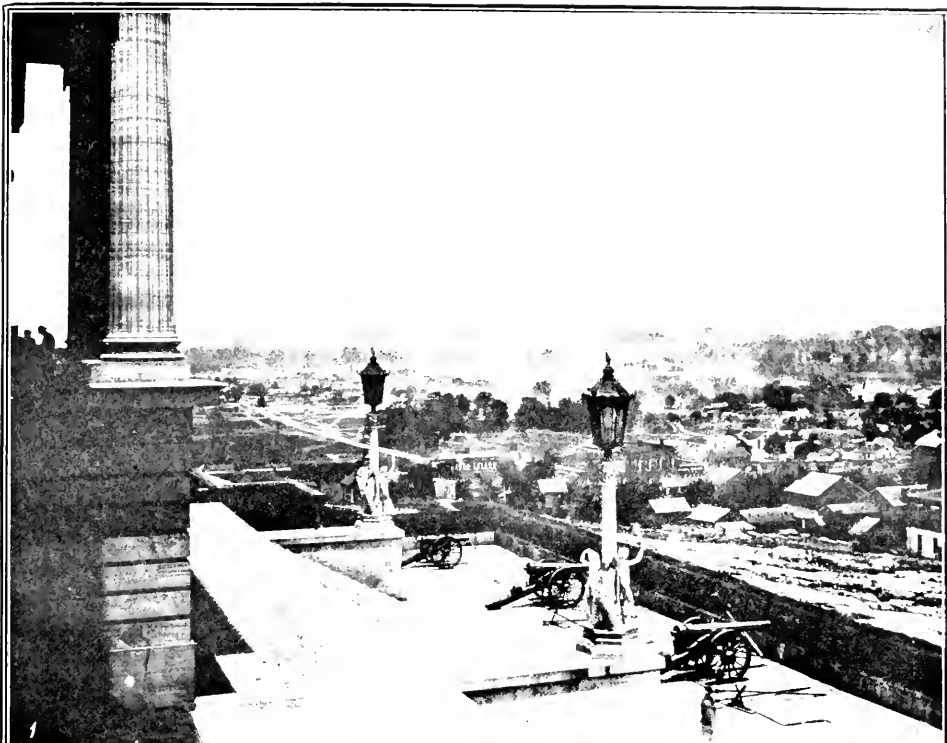
line was held by General A. J. Smith's corps, the centre by T. J. Wood's corps and the left by Schofield. General Steedman's division was in *echelon* to the front on the left. The night before the battle General Schofield's corps was moved to the left and front of Wood's line and prepared to take a prominent part in turning the Confederate left. The morning of December 15 was very foggy and thus the movements of Thomas' army in front of the Confederate works were masked.

The battle began at 8 o'clock with a successful attack by Steedman's division on the earthworks commanding the extreme Confederate left, thus attracting the Confederate attention to that quarter. At 10 o'clock Smith's corps moved against Hood's left and Wilson's cavalry corps of 9,000 horsemen and 3,500 dismounted men swung off in a wide circle against the left and rear of the Confederate works, one division extending to the river below the city and forcing back Hood's cavalry reserve under Chalmers. Forrest's main body had been sent to attack Murfreesboro. Smith's corps moved obliquely along the Hardin Pike against the Confederate left flank and took it in reverse. Schofield with the 23d corps, by a wide detour, penetrated still farther to the rear, Wood at the same time assaulting in front. Wilson, moving along Richland Creek, carried several earthworks, captured 27 guns and swept clearly into the rear of the Con-

federate left. These movements compelled the Confederates to withdraw for two miles. The next afternoon these same tactics were continued by Smith, Schofield and Wilson, while Wood on the Union centre and Steedman on the left pushed forward to Hood's new line which had been formed with Cheatham on the left, Stewart in the centre and Lee on the right. At 3 o'clock two of Wood's brigades and one of Steedman's made an unsuccessful attack upon Hood's right. Soon after 4 o'clock Smith's and Wood's corps on the front, with Schofield operating on their right and against the Confederate left flank, attacked in force, soon covering the entire line. According to Hood: "The position gained by the enemy being such as to enfilade our line caused in a few moments our entire line to give way and our troops to retreat down the pike in the direction of Franklin, most of them, I regret to say, in great confusion, all efforts to re-form them being fruitless." At this place 54 guns were captured. For several days the pursuit was continued by Wilson's cavalry when the remnant of Hood's forces crossed the Tennessee. Up to this time no rout during the war had been more complete. There are no reports of the Confederate dead and wounded, but in two days Thomas captured 4,462 prisoners* with a total loss to himself of a little over 3,000.† The records do not show

* *Official Records*, vol. xlv., pt. i., p. 40.

† *Ibid*, p. 105. See also Boynton, *Gen. George*



Upper photo from the original Brady negative. Lower photo taken from the *Photographic History of the Civil War*. Copyright by the Patriot Publishing Company.

1. VIEW OF NASHVILLE FROM THE CAPITOL, SHOWING THE FORTIFICATIONS OF THAT BUILDING.
2. THOMAS ADVANCING THE OUTER LINE OF UNION INTRENCHMENTS AT NASHVILLE, SHOWING THE CAMP FIRE STILL SMOULDERING AT THE RIGHT.



the number of men with whom Hood reached Tupelo. He claims that there were 18,500 remaining, after 3,000 had been furloughed. He further says that of 14,000 that left Tupelo to join Joseph E. Johnston in North Carolina 9,000 deserted. Johnston reported that when Hood's force reached him they numbered 3,953 officers and men. Had it not been for Forrest, who soon joined Hood, the remnant of the Confederate army would have been captured. Forrest says: "The Army of Tennessee was badly defeated and is greatly demoralized and to save it during the retreat from Nashville I was compelled almost to sacrifice my command."* John Forsyth wrote to Bragg: "Hood's army is not worth the value of a regiment if that officer is retained in command. * * * It is a shattered debris of an army now and needs careful yet vigorous handling to hold it together."† It was said also: "Great numbers are going home every day, many never more to return. Nine-tenths of the men and line officers are bare-footed and naked."‡ On reaching Tupelo, Mississippi, Hood on January 13 requested to be relieved of further com-

mand of the army and as his request was promptly granted he bade farewell to the remnant of his army on January 23, 1865. Shortly afterward he went to Texas to gather another army, but at last surrendered to General John W. Davidson at Natchez on May 31.*

Meanwhile, further to the northwest, several engagements had occurred. On November 8, 1864, General Gillem, who with a brigade was at Henderson's Depot, hearing that General Breckinridge was advancing to reconquer east Tennessee, fell back to Greenville on the 9th and to Bull's Gap on the 10th where, on the morning of the 11th, he was attacked by Duke's cavalry brigade. Duke was repulsed, but on the morning of the 12th Breckinridge renewed the attack with artillery and then assaulted in front and rear with cavalry, but he too was defeated. On the 13th the attack was renewed and maintained throughout the day. Being out of ammunition and without food for his men and forage for his horses, Gillem abandoned his position during the night and fell back toward Russellville, where his rear was attacked by Breckinridge with the brigades of Duke and Vaughan. The Union troops were thrown into disorder, became panic-stricken, could not be rallied, and retreated through Russellville to Strawberry Plains. Gillem lost 41 killed and wounded and 200 captured,

H. Thomas at Nashville; Cox, The March to the Sea—Franklin and Nashville, chaps. vi.-vii.: Hood, *Advance and Retreat*; biographies of Thomas by Piatt, DePeyster, Johnson, Van Horne, and Coppée; *Confederate Military History*, vol. v., p. 345; vol. vii., pp. 219-220; vol. viii., pp. 161-169; vol. ix., pt. ii., pp. 155-157.

* *Official Records*, vol. xlv., pt. ii., p. 756.

† *Ibid.*, vol. lii., pt. ii., p. 808.

‡ *Ibid.*, vol. xlv., pt. ii., p. 775.

* Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 22-37.

besides 6 guns, 132 wagons and ambulances and 300 horses.

Thomas thereupon ordered General Stoneman to concentrate his forces in Kentucky and drive Breckinridge back into Virginia or North Carolina. He was also to destroy the salt works at Saltville and the railroad from the Tennessee line as far into Virginia as he could go without endangering his command. Stoneman had a body of mounted troops under General Burbridge that had been doing duty in Kentucky — the Tennessee brigade of General Gillem and some infantry and dismounted cavalry under General Ammen — in all about 8,000 men. The 4th Tennessee and 3d North Carolina Union troops were sent to Paint Rock to hold the pass over the mountains into North Carolina and Stoneman concentrated his command at Bean's Station on December 11. He started from that point on the 12th with Gillem's and Burbridge's commands of about 5,700 men, and Gillem in advance reached the north fork of the Holston River opposite Kinston during the night. After a sharp engagement he crossed and on the morning of the 13th attacked and routed Duke's cavalry under Colonel Morgan, capturing Morgan, 80 men, and the wagon train. During the day Burbridge pushed on to Bristol to intercept Vaughn who had been holding Greenville with about 1,200 men. Stoneman and Gillem joined Burbridge at Bristol early on the 14th and, fearing that Vaughn would escape in the

night and join Breckinridge at or near Saltville, Burbridge was pushed forward to Abingdon. Stoneman then moved on to Wytheville, Gillem overtaking Vaughn at Merriam, routing him and pursuing him to Wytheville, capturing his trains, artillery and 198 men and destroying the town. Having torn up the railroads and bridges some distance beyond Wytheville, Stoneman set out on his return journey to demolish the salt works at Saltville and on the 17th encountered Breckinridge at Merriam, the latter having moved out of Saltville with about 2,000 men. Burbridge, who was in advance with two brigades, attacked Breckinridge but as night was approaching the general assault was postponed until morning. Stoneman maintained a stiff resistance and the Confederates made no headway. Buckley was supposed to be coming up in the afternoon and Gillem was sent around Breckinridge's left, thus cutting him off from the salt works. The skirmishing through the day was accompanied with considerable loss on both sides and as soon as night set in Breckinridge, finding himself nearly surrounded, withdrew by the road leading over the mountains into North Carolina and escaped. The 12th Ohio set out in pursuit but soon returned, and that night Stoneman concentrated his command at Glade Springs.

On the 20th Stoneman advanced toward Saltville in two columns. Colonel Stacy with the 13th Tennessee

cavalry was ordered to make a detour to the left and go into the town. This he did, setting part of his regiment at the task of burning it and with the remainder charging the fortifications held by 400 men under Colonel Preston. The Confederates were soon dispersed and a number of prisoners and two of their guns were captured without the loss of a man. At 11 o'clock that night the works were evacuated and the town of Saltville was in flames. On the 22d Stoneman began his return march, Burbridge going by way of Big Sandy to Kentucky and Gillem to Knoxville by Poor Valley and the west side of the Holston

River. Stoneman reported that he had captured 34 officers, 845 men, and 19 guns, had seized large quantities of ammunition, from 50,000 to 100,000 bushels of salt, and had destroyed the towns of Bristol, Abingdon, Wytheville, Saltville, besides numerous railroad trains, railroad depots, foundries, mills, storehouses, and all the depots of supplies in southwestern Virginia. This crippled the defensive power of the Confederacy in that region and also inflicted a serious blow on the Army of Northern Virginia by depriving it of supplies from that great agricultural storehouse.*

CHAPTER XLIV.

1864-1865.

PEACE MISSIONS: LINCOLN'S REELECTION: RECONSTRUCTION.

Gloom in the North — The Niagara Falls conference — Lincoln's peace proposal — The Jaquess-Gilmore mission — Dissatisfaction with Lincoln — Frémont's withdrawal — McClellan's nomination — The "war-is-a-failure" resolution — Grant's letter to Washburne — Seward's speech — The result of the election — Changes in the Cabinet — Chase's appointment to the chief justiceship — Debates on reconstruction measures in Congress — The theories of Sumner and Lincoln.

During the summer of 1864 the feeling in the North was one of despondency and discouragement. On July 2 a resolution was adopted by Congress requesting the President to appoint a day for humiliation and prayer when the people might "confess and repent their manifold sins, [and] implore the compassion and forgiveness of the Almighty, that, if consistent with his will, the existing rebellion may be speedily suppressed." Accordingly,

on July 7, Lincoln appointed the first Thursday of August "as a day of national humiliation and prayer."† The financial markets reflected the gloom in the North. On January 2 gold had sold in New York at 152 and in April at 175. The Secretary of the Treasury endeavored to depress the

* *Official Records*, vol. iv.; Van Horne, *History of the Army of the Cumberland*, vol. ii.

† Lincoln's *Complete Works*, vol. ii., p. 544; Richardson, *Messages and Papers*, vol. vi., pp. 221-222.

price by selling \$11,000,000, but the check was only temporary and by the middle of June the price had soared to 197. On June 17 Lincoln approved an act passed by Congress intended to prevent speculative sales of gold, but the act had the opposite effect, speculation becoming wilder than before and gold touching 250 on June 30. By the middle of July, after Early had cut off communication with Washington, gold reached 285, at which price the paper money in circulation was worth less than 40 cents on the dollar.* Though business seemed to be flourishing, not even the operations of Sherman in the South could dispel the gloom which hung over the North, for his campaign, though successful, lacked striking and spectacular features, and during the month of July, when it seemed that Sherman had been checked before Atlanta, the apathy and discouragement throughout the country took the shape of a yearning for peace. Foremost among those ready to give hospitable welcome to any suggestions of peace was Horace Greeley, and the idea, having been persistently and insistently urged, that the secession movement could not be crushed effectually, that ere long even the enormous resources of the North would be exhausted, and that as some terms would have to be made with Davis and the Southern Confederacy the sooner negotiations were entered upon the better, found lodgment everywhere in the North.

Greeley had received a communication from "William Cornell Jewett of Colorado" stating that two Confederate representatives were in Canada empowered to negotiate for peace. The great but biased editor sent this information to the President and at the same time wrote a note to Lincoln saying that "our bleeding, bankrupt, almost dying country also longs for peace; shudders at the prospect of fresh conscriptions, of further wholesale devastations and of new rivers of human blood." He recommended that Lincoln make a frank offer to the insurgents "of terms which the impartial will say ought to be accepted," and which might "save us from a Northern insurrection."* Lincoln had no faith in Jewett's story and on July 9 wrote to Greeley:

"If you can find any person, anywhere, professing to have any proposition of Jefferson Davis in writing, for peace, embracing the restoration of the Union and the abandonment of slavery, whatever else it embraces, say to him he may come to me with you, and that if he really brings such proposition, he shall, at the least, have safe conduct with the paper."*

This mode of prosecuting the business did not appeal to Greeley and further correspondence took place. On July 13 Greeley wrote that he had reliable information "that two persons duly commissioned and empowered to negotiate for peace, are at this moment not far from Niagara Falls in Canada, and are desirous of conferring with yourself or with such

* Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 185-187.

† *Ibid*, vol. ix., pp. 187-188.

* Rhodes, *United States*, vol. iv., p. 509.

persons as you may appoint and empower to treat with them." These persons were Clement C. Clay, of Alabama, and Jacob Thompson, of Mississippi. Believing that this correspondence would be interminable, and desirous of settling the matter at once, Lincoln, on July 15, sent a curt note expressing his disappointment that Greeley had not arrived with the commissioners. "Show that [Lincoln's letter of July 9] and this to them, and if they will come on the terms stated in the former, bring them. I not only intend a sincere effort for peace but I intend that you shall be a personal witness that it is made."*

Greeley then proceeded to Niagara Falls. He was given a safe conduct for Clay, Thompson, George N. Sanders and James P. Holcombe who were to be exempt from arrest or annoyance during their journey with Greeley to Washington. On his arrival at Niagara, however, Greeley ascertained that the Confederates were without authority from the Richmond government to act in the capacity attributed to them. Accordingly, Greeley asked for fresh instructions, and under date of July 18 Lincoln issued the following paper:

"To Whom It May Concern: Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States, will be received and considered by the Executive Government of the

United States, and will be met by liberal terms on other substantial and collateral points, and the bearer or bearers thereof shall have safe conduct both ways."*

After the termination of Greeley's conference he was roundly abused by the newspapers of the North for his action, but, instead of admitting his error, he censured the President and not only practically refused to allow the publication of the correspondence but declined to go to Washington to discuss the matter with Lincoln. This was a bad blow to Lincoln, for he had a sincere regard for Greeley and moreover could not publish the correspondence without revealing to the country the despondency of a Republican who was high in the party counsels.

That Lincoln had a firm grasp on the situation is attested by a conference which occurred at almost the same time. Reverend James F. Jaquess, a Methodist clergyman, and colonel of the 73d Illinois volunteers, had written to James A. Garfield, then chief of staff to General Rosecrans, saying that without making any compromise with traitors he would go into the Southern Confederacy and return within 90 days with terms of peace that the Government would accept.† Rosecrans forwarded this letter to

* Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 192; Rhodes, *United States*, vol. iv., p. 514; Greeley, *American Conflict*, vol. ii., p. 664; Davis, *Rise and Fall of the Confederate Government*, vol. ii., p. 611; Raymond, *Life of Lincoln*, pp. 571-590; *Appleton's Annual Cyclopaedia* for 1864, pp. 780-783.

† The whole letter is in Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 201-202.

* Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 189.

Lincoln, who, though he did not anticipate any good results, was not unwilling that Jaquess should undertake his mission. He feared, however, that it would not be free from difficulties, since Jaquess could not go in an official capacity and might be condemned and executed as a spy. Nevertheless Jaquess insisted, obtained a furlough, and set out on a fruitless journey, after which he returned to his regiment in the West. He did not abandon his idea, however, and finally in the early summer of 1864 persuaded J. R. Gilmore ("Edmund Kirke" who later wrote the *Rear-Guard of the Revolution*, *John Sevier as a Commonwealth Builder*, *The Advance-Guard of Western Civilization*, etc.), to accompany him on a second journey to the South. On July 16, 1864, the two men reached Richmond and the next day requested an interview with Davis as private citizens who had no official character or authority but, being acquainted with the views of the United States Government, earnestly hoped to effect an adjustment of the differences between the North and the South. The interview was arranged, and at 9 o'clock that night they were received by Davis and the Confederate Secretary of State Benjamin. The burden of the conversation was: Can any means be tried that might lead to peace? Davis stated that he desired peace as much as Lincoln but that the war would continue unless the Northern Government acknowledged the

right of the Confederate States to self-government. The South was not fighting for slavery but for independence, and would either have that or extermination. "We will govern ourselves. We will do it if we have to see every Southern plantation sacked and every Southern city in flames. * * * Say to Mr. Lincoln from me that I shall at any time be pleased to receive proposals for peace on the basis of our independence. It will be useless to approach me with any other."* With this ultimatum the self-constituted envoys left Richmond. On the whole the embassy was of service to the Union cause, for the peace advocates were temporarily silenced by the renewed declaration of Davis that the fight for a separation would be carried to the bitter end.†

These ill-advised and abortive efforts for peace, together with the intense gloom and depression caused by Grant's failure to capture Petersburg, manifested itself in dissatisfaction with Lincoln which resulted in a call for a convention to be held in Cincinnati on September 28 to nominate a new candidate for President. On August 18 Greeley wrote that Lincoln was beaten and that another ticket must be nominated to save the Republicans from "utter overthrow."

* Rhodes, *United States*, vol. iv., p. 515; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 209-211. See also Davis, *Rise and Fall of the Confederate Government*, vol. ii., p. 610; J. R. Gilmore, *Personal Recollections of Lincoln*, chap. xvii.

† For Pollard's remarks on "these two obscure Yankees who were treated with silly distinction in Richmond" see his *Last Year of the War*, pp. 66-67.

The movement was supported by Chase, Henry W. Davis, Wade, Daniel S. Dickinson and Governor J. A. Andrew. It was suggested that Frémont and Lincoln should retire from the field so that the united Republican support might be given to Richard Smith, editor of the *Cincinnati Gazette*.* "The withdrawal of Lincoln and Frémont and the nomination of a man that would inspire confidence and infuse life into our ranks would be hailed with general delight." The jubilation of the Democrats at their prospects of success was apparently well founded, for if McClellan were nominated he would receive the unbroken support of the Democrats and of a certain conservative element in the Union party, while Lincoln would lose many of the radicals from the Union party who would support Frémont.

The National Democratic convention met at Chicago on August 29 and was organized by placing Governor Seymour, of New York, in the chair. Seymour and his followers were working for a military candidate, in which they were successful, while the peace advocates, led by Vallandigham, bent all their energies to a clear statement of their principles in the platform, in which they, too, were successful. McClellan was unanimously nominated for President and George H. Pendleton for Vice-President.† The most important resolution in the platform,

drawn up and carried through the committee by Vallandigham, was as follows:

"This convention does explicitly declare, as the sense of the American people, that, after four years of failure to restore the Union by the experiment of war * * * justice, humanity, liberty and public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of the States or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the Federal Union of the States."*

The Democrats had asserted that the war was a failure, but hardly had the declaration been made when, on September 3, the people read in their newspapers that Sherman had taken Atlanta with practically no loss to himself. Moreover, in August, Farragut had defeated the Confederate fleet at Mobile Bay and had compelled the surrender of Forts Gaines and Morgan, thus shutting another port of the Confederates to the outside world and completing another step in the isolation of the South. These two victories worked a remarkable revolution of sentiment in the North and undoubtedly swung the tide in Lincoln's favor. On August 16 Grant wrote a letter to E. B. Washburne, which, on being published toward the middle of September, proved a strong campaign document:

"I state to all citizens who visit me that all we want now to insure an early restoration of the Union is a determined unity of sentiment North.

* Stanwood, *History of Presidential Elections*, pp. 242-243; McDonald, *Platforms of the Two Great Political Parties*, p. 20; Appleton's *Annual Cyclopedia* for 1864, p. 793; Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 252 *et seq.*; Rhodes, *United States*, vol. iv., pp. 522-523.

* Rhodes, *United States*, vol. iv., pp. 518-519.

† Stanwood, *History of Presidential Elections*, pp. 243-244.

The rebels have now in their ranks their last man. The little boys and old men are guarding prisoners, guarding railroad bridges, and forming a good part of their garrisons for entrenched positions. A man lost by them cannot be replaced. They have robbed the cradle and the grave equally to get their present force. Besides what they lose in frequent skirmishes and battles they are now losing from desertions and other causes, at least one regiment per day. With this drain upon them the end is not far distant, if we will only be true to ourselves. Their only hope now is in a divided North. * * * I have no doubt but the enemy are exceedingly anxious to hold out until after the Presidential election. They have many hopes from its effects. They hope a counter revolution; they hope the election of the peace candidate. * * * Our peace friends, if they except peace from separation, are much mistaken. It would but be the beginning of war with thousands of Northern men joining the South because of our disgrace in allowing separation. To have 'peace on any terms' the South would demand the restoration of their slaves already freed; they would demand an indemnity for losses sustained, and they would demand a treaty which would make the North slave-hunters for the South. They would demand pay for the restoration of every slave escaping to the North."*

On September 3 Seward made a speech at Auburn, New York, in which he said that, as soon as the Confederates disbanded their armies and laid down their arms the war would cease, and that all questions connected with the war and slavery would pass "to the arbitrament of courts of law and to the councils of legislation." In attacking the Chicago platform he asked: "Who can vouch for the safety of the country against the rebels during the interval which must elapse before the new administration can constitutionally come into power?" Again, ten days later, he said:

"The democracy of Chicago, after waiting six weeks to see whether this war for the Union is

to succeed or fail, finally concluded that it would fail, and therefore went in for a nomination and platform to make it a sure thing by a cessation of hostilities and an abandonment of the contest. At Baltimore, on the contrary, we determined that there should be no such thing as failure, and therefore we went in to save the Union by battle to the last. Sherman and Farragut have knocked the bottom out of the Chicago nominations, and the elections in Vermont and Maine prove the Baltimore nominations stanch and sound. The issue is thus squarely made up — McClelland and disunion, or Lincoln and union."*

Raymond also says:

"The main consideration which was pressed upon the public mind was that the defeat of Mr. Lincoln would be, in the eyes of the Confederates, an explicit disapproval of the general line of policy he had pursued, and a distinct repudiation by the people of the Northern States of the Baltimore declaration that the war should be prosecuted to the complete and final overthrow of the rebellion. * * * As the canvass advanced, the confidence of success increased and received a still further impulse from the grand military victories which, in quick succession, began to crown the Union arms."†

These victories were won by Sheridan over Early at Winchester, Fisher's Hill and Cedar Creek, and were more influential than numerous campaign speeches, for they belied the Democratic assertion that the war was a failure. The political canvass was prosecuted with energy and confidence in every section of the country. The electoral contest began in Vermont and Maine in September and the result in these States showed that disaffection to the Administration was inconsequential and indicated also a victory for Lincoln in November. On September 21 Frémont withdrew

* Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 354; *Appleton's Annual Cyclopaedia* for 1864, p. 794.

† Raymond, *Life of Lincoln*, p. 602.

* *Appleton's Annual Cyclopaedia* for 1864, p. 134.

from the contest, in order to leave the field clear for Lincoln and thus to prevent the election of a Democratic candidate who was pledged to separation or reestablishment with slavery.

Toward the middle of October State and Congressional elections took place in Pennsylvania and Indiana. The President was in the War Department eagerly awaiting returns from these States. The first news received was the election of Rutherford B. Hayes and his Republican colleague in the Cincinnati district; next came dispatches announcing a Republican majority in Philadelphia. The news was in much the same strain throughout the evening. Ohio went Union by 55,000; Indiana elected Governor Morton and the entire Republican ticket by more than 20,000 majority; and Pennsylvania elected 15 Union Congressmen out of 24 candidates and constituted her legislature strongly Republican in both branches. All three States made material gains in Union members of Congress.* Toward the end of October the North was electrified by the news of Sheridan's victory at Cedar Creek, and everywhere Thomas B. Read's poem *Sheridan's Ride* was recited to stir the crowds and win votes for the Republicans. On November 8 the election took place. There was no disturbance or excitement; everything was conducted quietly and orderly and, as was expected, it was decisive in its results. McClellan received the

votes of only three States—New Jersey, Delaware, and Kentucky; while Lincoln obtained the votes of all the other loyal States, 23 in number. In only one large State (New York) was there a close contest, but Lincoln received the entire 33 electoral votes. His majority of the popular vote in the whole country is estimated by different writers at from 400,000 to 500,000.* The electoral vote was 212 for Lincoln and Johnson and 21 for McClellan and Pendleton,† the vote by States being as follows:

Number of electoral votes	STATES	PRESIDENT		VICE-PRESIDENT	
		A. Lincoln, Ill.	G. B. McClellan, N. J.	A. Johnson, Tenn.	G. H. Pendleton, Ohio
7	Maine.....	7	.....	7	.....
5	New Hampshire.....	5	.....	5	.....
12	Massachusetts.....	12	.....	12	.....
4	Rhode Island.....	4	.....	4	.....
6	Connecticut.....	6	.....	6	.....
5	Vermont.....	5	.....	5	.....
33	New York.....	33	.....	33	.....
7	New Jersey.....	.....	7	.....	7
26	Pennsylvania.....	26	.....	26	.....
3	Delaware.....	.....	3	.....	3
7	Maryland.....	7	.....	7	.....
.....	Virginia.....	.....	.....	.....	.....
.....	North Carolina.....	.....	.....	.....	.....
.....	South Carolina.....	.....	.....	.....	.....
.....	Georgia.....	.....	.....	.....	.....
11	Kentucky.....	.....	11	.....	11
.....	Tennessee.....	.....	.....	.....	.....
21	Ohio.....	21	.....	21	.....
.....	Louisiana.....	.....	.....	.....	.....
.....	Mississippi.....	.....	.....	.....	.....
13	Indiana.....	13	.....	13	.....
16	Illinois.....	16	.....	16	.....
.....	Alabama.....	.....	.....	.....	.....
11	Missouri.....	11	.....	11	.....
.....	Arkansas.....	.....	.....	.....	.....
8	Michigan.....	8	.....	8	.....
.....	Florida.....	.....	.....	.....	.....
.....	Texas.....	.....	.....	.....	.....
8	Iowa.....	8	.....	8	.....
8	Wisconsin.....	8	.....	8	.....
5	California.....	5	.....	5	.....
4	Minnesota.....	4	.....	4	.....
3	Oregon.....	3	.....	3	.....
3	Kansas.....	3	.....	3	.....
5	West Virginia.....	5	.....	5	.....
2	Nevada.....	2	.....	2	.....
233	Total.....	212	21	212	21

* Rhodes, *United States*, vol. iv., p. 538, following Stanwood, *History of Presidential Elections*. The *World Almanac* for 1912, p. 219, gives Lincoln's majority as 407,342.

† Stanwood, *History of Presidential Elections*, p. 246; Schouler, *United States*, vol. vi., p. 635.

* Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 370-371.

Meanwhile there had been a number of Cabinet changes. Postmaster-General Montgomery Blair had become unpopular with the radicals chiefly because of his quarrel with Frémont. The opposition to Blair, however, was not confined to the radical element of the Republicans, for some of the most judicious members of the party, though personally friendly to Blair, urged the President to remove a source of much weakness and discord. By this time Blair had exhibited a strong hostility to Chase, Seward and Stanton. Throughout the summer of 1864 the pressure on the President to remove Blair increased and when the pendulum swung in the direction of Republican success, Lincoln felt it his duty no longer to retain in his Cabinet a member who had lost the confidence of the great body of Republicans. Accordingly, late in September, he wrote to Blair that his resignation would be a relief to the Administration. Blair immediately acquiesced and, far from being disgruntled, worked hard for Republican success.* William Dennison, formerly governor of Ohio, was appointed Postmaster-General in Blair's place.

At about the same time Attorney-General Bates expressed to the President his desire for retirement. Lincoln wished to appoint Bates to the bench, but the latter declined, and on November 24 made a definite request

to be relieved of his duties. After Joseph Holt, of Kentucky, had refused an appointment to the vacant office, Lincoln secured the services of another Kentuckian, James Speed.* Earlier in the year Fessenden had been elected to the Senate from Maine and had resigned his office as Secretary of the Treasury. Many men were recommended for this office, but finally Lincoln appointed Hugh McCulloch. Thereupon, on March 8, Usher, Secretary of the Interior, resigned his place, desiring, as he said, to relieve the President of any embarrassment which might arise from the fact that Indiana was represented in the Cabinet by two members. Lincoln accepted the resignation to take effect on May 15, 1865, but before that date events of tremendous import had taken place.†

Meanwhile on October 12, 1864, Chief Justice Taney had died, and there was much doubt as to whom Lincoln would nominate for this important office. Many lawyers with high personal and political qualifications aspired to the office, but the chief applicant was Salmon P. Chase. After Chase's resignation and his rupture with Lincoln, there seemed little doubt but that his public career was at an end, for he was not only without a position but without an influential following. Nevertheless, his friends immediately claimed the va-

* Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 333-342.

* Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 343-348.

† *Ibid*, vol. ix., pp. 348-350.

cant place for him and much pressure was brought to bear on Lincoln, Sumner being particularly ardent. Lincoln had always considered Chase a very able man, though he believed him ambitious and a little insane on the subject of the Presidency. At one time he had intended to inform Chase frankly that he could become the greatest chief justice the Supreme Court had ever had if he would only dismiss the subject of the Presidency from his mind, but soon realized that such action would be liable to serious misapprehension.* Lincoln gave little attention to Chase's animadversions and in considering the nomination had only the best interests of the country in his mind, his high estimate of and confidence in Chase's legal qualifications far outweighing the memory of personal troubles and Chase's supercilious criticisms.† Accordingly, on December 6, he nominated Chase to be chief justice‡ and the nomination was confirmed by the Senate without reference to a committee. On receiving word of the nomination Chase wrote to Lincoln saying: "Before I sleep I must thank you for this mark of your confidence, and especially for the manner in which the nomination was made. I will never forget either and trust you will never regret either. Be assured that I prize

your confidence and good will more than nomination to office."**

After Chase's nomination had been confirmed the question of reconstruction was taken under consideration by Congress and debated throughout the session. On December 15 Representative James M. Ashley introduced a reconstruction bill which was open to the same objection for which Lincoln had vetoed the Davis bill. As it soon became evident that the bill in its original form could not be passed, on January 16 Ashley offered a substitute in which the committee made a further compromise by including Arkansas and Louisiana under certain conditions. On February 20 Representative Henry L. Dawes attacked the bill and urged that reconstruction should be recognized "whenever any of these States comes up here presenting a constitution Republican in form, the workmanship of the loyal men of the State, and which is generally acquiesced in by them, and they have power enough within themselves to maintain it against all domestic violence." After further discussion Ashley offered another substitute equally as preposterous as his other recommendations, and accordingly the bill and the amendments were laid on the table by a vote of 91 to 64.†

In the Senate the question came up

* Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 394.

† Schuckers, *Life of Chase*, pp. 487-488.

‡ Lincoln, *Complete Works*, vol. ii., p. 616.

** Schuckers, *Life of Chase*, p. 513; Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 394-395; Rhodes, *United States*, vol. v., p. 46.

† Nicolay and Hay, *Life of Lincoln*, vol. ix., pp. 448-453.

in a somewhat different form. Trumbull, chairman of the Committee on the Judiciary, submitted a joint resolution recognizing the government inaugurated in Louisiana in April of 1864 as the legitimate government of the State.* Debate began on February 23, 1865, when it appeared that most of the Democrats and five of the Republicans under the leadership of Sumner opposed the resolution, believing that its passage would have a calamitous effect.† Sumner succeeded in postponing consideration of the subject and the bill did not come up during the remainder of the session, which closed at noon of March 4, 1865. Thus the resolution was laid aside and also a similar one relating to Arkansas.‡ In this debate the variance in the theories of Lincoln and Sumner became manifest, for Sumner insisted that the Government should make free negro suffrage a condition on which the States might reënter the Union

and maintained that the work of reconstruction came under the legislative and not the executive branch of the Government. Lincoln favored the use of moral pressure on the reconstructed governments to induce them to confer suffrage on the very intelligent blacks and those who had “fought gallantly in our ranks.”* In his last public address on the evening of April 11 Lincoln said:

“We all agree that the seceded States, so called, are out of their proper practical relations with the Union, and that the sole object of the Government, civil and military, in regard to those States, is to again get them into that proper practical relation. I believe that it is not only possible, but in fact easier, to do this without deciding or even considering whether these States have ever been out of the Union, than with it.
* * * Let us all join in doing the acts necessary to restoring the proper practical relations between these States and the Union, and each forever after innocently indulge his own opinion whether in doing the acts he brought the States from without into the Union, or only give them proper assistance, they having never been out of it.”†

* *Globe*, p. 1011.

† *Ibid*, pp. 1107-1108; Pierce, *Life of Sumner*, vol. iv., p. 222; Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 455. See also biographies of Sumner by A. L. Dawes (1892), Moorfield Storey (1900), W. G. Shotwell (1910), and George H. Haynes (1910).

‡ Scott, *Reconstruction*, pp. 349-373; Pierce, *Life of Sumner*, vol. iv., pp. 223-228; Rhodes, *United States*, vol. v., pp. 53-55.

* *Complete Works*, vol. ii., p. 496; Nicolay and Hay, *Life of Lincoln*, vol. viii., p. 434; Pierce, *Life of Sumner*, vol. iv., p. 221 *et seq.*; Story, *Life of Sumner*, p. 282 *et seq.*

† Nicolay and Hay, *Life of Lincoln*, vol. ix., p. 460; Lincoln's *Complete Works*, vol. ii., pp. 672-675. See also Burgess, *Reconstruction and the Constitution*, pp. 9, 58-59; Blaine, *Twenty Years of Congress*, vol. ii., pp. 46-47, 53; S. S. Cox, *Union, Disunion, Reunion: Three Decades of Federal Legislation*, pp. 342-344.

CHAPTER XLV.

1864-1865.

FORT FISHER: WILMINGTON: SHERMAN'S MARCH TO GOLDSBORO.

Operations of the *Albemarle* — The engagement at Plymouth, North Carolina — Cushing's attack on the *Albemarle* — The capture of Fort Fisher and Wilmington — Sherman's march from Savannah — The battles of Averasboro, Kinston, and Bentonville — The occupation of Goldsboro — Stoneman's raid in eastern Tennessee, southwestern Virginia, and western North Carolina.

In the spring of 1864 the Confederate authorities at Richmond resolved to recapture Plymouth, North Carolina, which was garrisoned by a force of 2,400 men under General H. W. Wessells. The Confederate general, R. F. Hoke, was placed in command of a division to attack Plymouth and was to be assisted by Captain J. W. Cooke with the formidable ram *Albemarle*, an ironclad similar to the *Merrimac*, carrying two heavy guns. Hoke's division proceeded to the vicinity of Plymouth, surrounded the place, drove in Wessells' pickets on April 17, and prepared to storm the works as soon as the *Albemarle* drove off the Union vessels protecting the place. On the 18th the *Albemarle* left Hamilton, passed down the Roanoke, ran over the obstructions placed in the river and past the heavy shore batteries, and at 3 A. M. on the 19th discovered the Union gunboats *Miami* and *Southfield* about half a mile below the town. Captain C. W. Flusser in command of the two vessels had lashed them together with long spars, with chains festooned be-

tween them, it being his intention to get the *Albemarle* between the two vessels. The *Albemarle* avoided this, however, by running close to the southern shore and then, suddenly turning toward the middle of the river, rammed and sank the *Southfield*. The *Albemarle's* prow became entangled with the *Southfield*, upon which the *Miami*, ranging alongside, opened with her heavy guns; but unfortunately a shell fired by Flusser himself struck the *Albemarle's* armor, rebounded and exploded, a part of the shell instantly killing Flusser. Lieutenant French then took command and attempted to board the *Albemarle* but was repelled, whereupon the *Miami* withdrew from the contest and ran down into Albemarle Sound. The next day (the 20th) the *Albemarle* opened fire upon the forts and works near the river, while Hoke attacked from the land side. After several repulses Hoke captured the works and Wessells surrendered his entire command. In killed, wounded and captured the Union loss was 2,834, but

the Confederate loss is not definitely known.

Soon after the capture of Plymouth, Hoke was ordered to the Army in Virginia, a Confederate force being left, however, to hold Plymouth with the aid of the *Albemarle*. Several schemes had been considered for the destruction of the boat, but the *Albemarle* did not wait to be attacked and, on May 5, ran down the river with two other vessels with the intention of sweeping both *Albemarle* and Pamlico Sounds of the Union fleet. Her attendants were the transports *Cotton Plant* and the captured steamship *Bombshell*. Captain Melanethon Smith in command rapidly got the Union fleet under way, the flag ship *Mattabesett* leading and the *Sassacus* and the rest of the fleet following—in all 8 vessels carrying 32 guns and 23 howitzers. The undaunted ironclad, however, came on with her two guns and engaged the entire Union fleet. The *Cotton Plant* was ordered back out of danger and the *Bombshell* was retaken, but the *Albemarle* sturdily held her own. The battle began at 4:45 P. M. when the *Albemarle* fired two damaging shots into the *Mattabesett* and then tried to ram her, but the Union vessel evaded the blow and poured a broadside into the ironclad. The *Sassacus* and other vessels then came up, shot away the boats of the *Albemarle*, shattered many of her plates and disabled her aft gun, but otherwise the concentrated fire of the Union fleet had little effect, and Lieu-

tenant Commander F. A. Roe of the *Sassacus* made a spirited effort to run down the *Albemarle*. Drawing off about 200 yards he put on a full head of steam and rushed upon the *Albemarle* at a speed of 10 knots an hour. The formidable ram fairly staggered under the blow, the *Sassacus* having struck her just abaft the casemate on the starboard side. The *Albemarle*, however, continued the fight and sent a 100-pound Parrott shot through the boiler of the *Sassacus*, disabling her engine and 16 men and filling the vessel with scalding steam. Accordingly she slowly dropped out of the fight and the battle was temporarily suspended because the shooting away of the *Albemarle*'s flag gave the impression that she had surrendered and because one of the Union boats reported herself as sinking. The *Albemarle* then steamed back to Plymouth where she lay practically inactive until the night of October 27.*

The destruction of the *Albemarle* was the work of Lieutenant William B. Cushing. He secured two launches at the Brooklyn navy yard, each carrying a 12-pound howitzer and a torpedo, and manned by a band of men well armed with revolvers and hand grenades. Passing near the

* Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 38-44; *Naval War Records*, vol. ix.; Edgar Holden, *The Sassacus and the Albemarle*, in *Magazine of History*, vol. v., pp. 267-273 (1907); *Battles and Leaders*, vol. iv., pp. 625-633; Maclay, *History of the Navy*, vol. ii., pp. 523-530; Soley, *The Blockade and the Cruisers: Confederate Military History*, vol. xii., pp. 81-85; vol. iv., pp. 222-225.

pickets on the shore, Cushing, at 3 A. M. of October 27, approached the *Albemarle* and was hailed and fired upon from the shore and the vessel. Discovering a circle of logs around the ship about 10 feet from it, he drew back and, when 100 feet away, made a rush, struck the logs at full headway, slid over them and, in the face of a galling fire, exploded a torpedo under the vessel, thus tearing a large hole in her and sinking her. Cushing and his men then took to the water, he and one or two others escaping, while two were drowned and 11 were captured. On October 31 Commodore Macomb with his fleet went by way of Middle River into the Roanoke and engaged the batteries on shore. After a spirited engagement a shot exploded a Confederate magazine, whereupon the Confederates hastily evacuated their works and the Union forces took possession of the town.*

The successful operations of the navy in closing the ports of Savannah, Charleston and Mobile had reduced the Confederates to a single port of entrance for blockade-runners—the harbor of Wilmington, North Carolina, a city situated on Cape Fear River about 28 miles from the sea. The southern entrance to the harbor was protected by Fort Caswell and

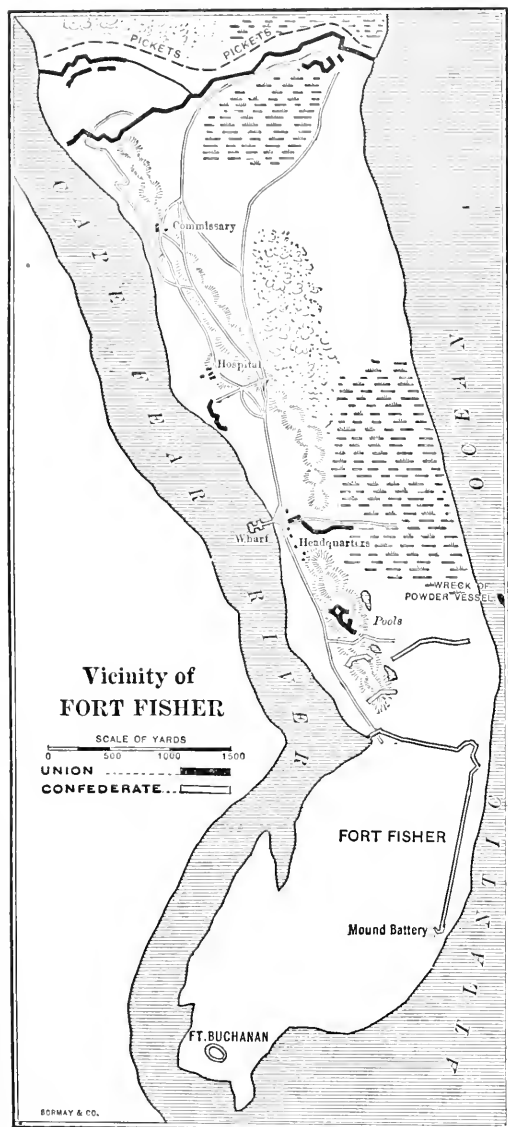
the northern by Fort Fisher. The latter fort was one of the most formidable earthworks on the Atlantic coast and was built to withstand the heaviest artillery fire. Its parapets were 25 feet thick with an average height of 20 feet, and the fort contained 44 heavy guns with a garrison, at the close of 1864, of 1,400 men under command of Colonel William Lamb. To watch the port of Wilmington required a vast armada and the Navy Department and President Lincoln had constantly urged the military authorities to join in an expedition for its capture, so that the vessels watching it might be released for other duties. Accordingly, late in the autumn of 1864, a large fleet under Admiral D. D. Porter and a military force under Benjamin F. Butler were sent against it. Porter's fleet of about 150 vessels left Hampton Roads on December 13, 1864, and arrived in sight of the fort on the 20th. As a preliminary to the attack an old steamer, the *Louisiana*, was loaded with 215 tons of powder which was to be exploded under the walls of the fort. At 1:40 A. M. of December 24 without notifying Butler the *Louisiana* was towed to within 300 yards of the fort, but when the powder was exploded no damage was done. At daylight the fleet ran in, and at 11 o'clock opened a furious fire which continued for several hours without material damage and was responded to with spirit and effect. On Christmas Day the bombardment was renewed and

* *Battles and Leaders*, vol. iv., pp. 634-642; Nicolay and Hay, *Life of Lincoln*, vol. x., chap. ii.; *Naval War Records*, vols. ix.-x.; Soley, *The Blockade and the Cruisers*; Maclay, *History of the Navy*, vol. ii., pp. 531-538; J. P. Frothingham, *Running the Gauntlet. The Daring Exploits of Lieutenant Cushing*.

under cover of it Butler landed 3,000 men, two miles above the fort, on the assurance from Porter that the navy had so completely silenced the fort

and deeming an attack inadvisable reëmbarked the men and returned to the James River to assist in the siege of Petersburg. In this attack Porter's fleet lost 83 men killed and wounded and the Confederates 58 killed and wounded.

The President was deeply disappointed by the failure to take the fort and a second expedition was organized. On January 13, 1865, 8,000 men under General A. H. Terry were landed, and at 3:30 P. M. the fleet began a furious bombardment which was continued the next day, causing a loss to the garrison of about 200 men and silencing many of the guns. A combined naval and military attack was planned for the 15th and 1,600 sailors and 400 marines were landed to co-operate with the army. At 9 A. M. on that day the fleet opened fire and continued it until 3 P. M., when the signal was given for the land assault. Armed with cutlasses and pistols, the naval column charged the right flank or sea face of the work, reached its foot, and those in advance began to climb the parapet, but the Confederates repulsed them and the entire body retreated in disorder with a loss of 82 killed and 269 wounded. The army was more successful. Advancing on the left flank or land face of the work, it forced a lodgment and after a hard struggle carried the entire work, capturing about 2,000 men with a loss of about 900. The total loss in the army and navy was 266 killed, 1,018 wounded and 57 missing, while the



that all he had to do was to march his troops into it. But Butler and Weitzel, who were in immediate command of the troops, after a careful reconnaissance found the fort uninjured

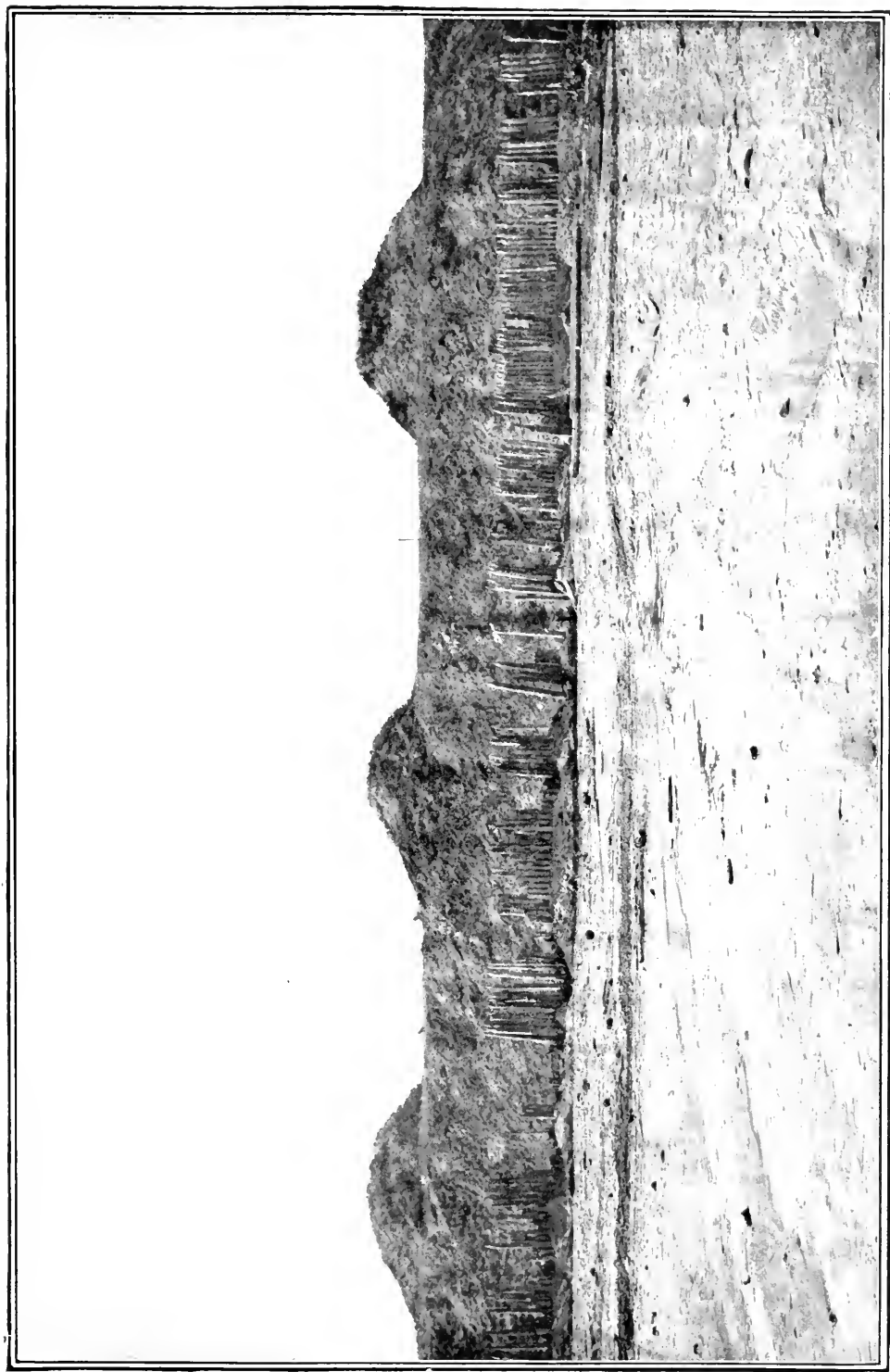


Photo taken from the *Photographic History of the Civil War*. Copyright by the Patriot Publishing Company.

FORT FISHER, WILMINGTON, N. C., SHOWING THE PALISADE. THIS WAS THE LAST OF THE CONFEDERATE PORTS CLOSED.

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ASTOR LENOX AND
TILDEN FOUNDATIONS

Confederates lost 500 killed and wounded besides the prisoners.*

Terry then posted his troops on an intrenched line across the peninsula about two miles above the fort. An advance on Wilmington was not considered prudent, as Hoke had ensconced himself with his own and what was left of Whiting's troops at Fort Anderson on the west bank of the Cape Fear River about midway between Fort Fisher and Wilmington, and on the opposite bank had thrown up a line of intrenchments across the peninsula in Terry's front, behind which lay about 4,500 men. Fort Anderson mounted 10 heavy guns commanding the approaches by land and water and was held by General Hagood's brigade of 2,000 men. On January 14 Schofield received orders from Grant to move the 23d corps from Tennessee to the coast of North Carolina, his first task being the capture of Wilmington, which was to serve as a base for Sherman if nothing should interrupt his march to Goldsboro. On February 16 the divisions of Cox and Ames were sent across by steamboats to Smithville on the right bank of the river where they were joined by Colonel O. H. Moore's

brigade of Couch's division and a battery. On the 17th Cox, with four brigades and the battery, advanced along the main Wilmington road driving off the Confederate pickets and bivouac-ing near Fort Anderson with his right resting on the river. The next day the advance was resumed and the enemy driven within the works. The brigades of Moore and Henderson were intrenched on the south side of the road, while Cox with his other two brigades followed later by Ames' division, and started around Orton Pond covering the Confederate right in order to gain the Wilmington road in rear of the fort. The guns of Fort Anderson opened fire on the two brigades confronting the fort and the gunboats opened heavily on the fort, the monitor *Montauk* lying close to it, and the others enfilading its parapet. During the night, warned by his cavalry of Cox's movement around his right, General Hagood hastily abandoned Fort Anderson, taking with him six light guns and falling back beyond Town Creek, eight miles above the fort. Hoke also retreated from his lines opposite Fort Anderson to within four miles of Wilmington. By these movements Schofield gained possession of the main defences of Cape Fear River and of Wilmington, together with several pieces of heavy ordnance and a large amount of ammunition.

On the 19th Cox pursued Hagood to Town Creek where he found him in a strong position well covered by

* *Official Records*, vol. xlii.; *Naval War Records*, vol. xi.; *Battles and Leaders*, vol. iv., pp. 642-662; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 52-68; Maclay, *History of the Navy*, vol. ii., pp. 547-552; Ammen, *The Atlantic Coast*; Adelbert Ames, *The Capture of Fort Fisher, Jan. 15, 1865* (1912); William Lamb, *The Defence of Fort Fisher* (1902); Cox, *The March to the Sea*, pp. 137-145; *Confederate Military History*, vol. iv., pp. 273-277.

swamps. Terry deployed on the east side of the river and soon found Hoke in force. Ames' division recrossed to the east bank during the night and joined Terry, who again advanced on the morning of the 10th and by some sharp skirmishing came upon Hoke well intrenched with artillery in position. On the same day Cox crossed Town Creek below Hagood's position, attacked his flank and rear, and routed his brigade, capturing 375 prisoners, 2 guns and 3 battle flags. During the night Cox crossed his artillery over Town Creek and the next morning pushed on toward Wilmington without opposition. Terry was unable to make any farther advance, but so occupied Hoke's attention that he could not send any part of his force to replace the losses in Hagood's brigade. On the 21st Cox secured a part of the Confederate pontoon bridge which Hoke had endeavored to destroy, crossed Brunswick River, put the 16th Kentucky regiment on Eagle Island, abreast of Wilmington, and threatened to cross Cape Fear River above the town. Thereupon Hoke set steamers, boats, cotton and naval stores afire and retreated in the direction of Goldsboro. Early on the morning of February 22 Terry entered Wilmington without opposition and pursued Hoke across Northeast River. Schofield reports that he took 51 heavy guns, 15 light ones and a large amount of ammunition. The Union loss from February 11 to 22 was about 200 killed and wounded.

The Confederate loss is not definitely known, though it was estimated by Schofield to be about 1,000 in killed, wounded and prisoners.*

As we have seen, Sherman's march to the sea had culminated on December 21, 1864, in the capture of Savannah. On December 27, after the surrender of Savannah, Grant instructed Sherman to start on the march northward without delay, break up the railroads in North and South Carolina and join the armies operating against Richmond as soon as he could. General Grover's division of the 19th corps was detached from the army of the Shenandoah and ordered to Savannah as a garrison, and General Foster, commanding the Department of the South, was instructed to follow Sherman's inland movements and hold Charleston and other points on the coast as the Union forces were withdrawn. Ammunition, rations and clothing were accumulated and on January 14, 1865, the 17th corps under General Blair took transports at Savannah for Hilton Head, South Carolina, and moved to Beaufort, thence to Pocotaligo on the Charleston and Savannah Railroad, thus threatening Charleston. Later the 17th corps was joined by the 15th corps with the exception of Corse's division. The left wing consisting of

* *Official Records*, vol. xlvii.; Cox, *Military Reminiscences of the Civil War*, vol. ii., and *March to the Sea—Franklin and Nashville*, p. 147 *et seq.*; Mrs. C. P. Spencer, *The Last Ninety Days of the War in North Carolina*.

the 14th and 20th corps under General Slocum with Corse's division and Kilpatrick's cavalry moved up the Savannah River 40 miles to Sister's Ferry, thus threatening Augusta. On February 1, when the general movement began, the army consisted of the right wing under General O. O. Howard, comprising the 15th corps under John A. Logan and the 17th corps under F. P. Blair, and the left wing comprising the 14th corps under J. C. Davis and the 20th corps under A. S. Williams. The cavalry division under Kilpatrick moved with the left wing as also, at first, Corse's division of Logan's corps. When the movement began the army consisted of 53,923 infantry, 4,438 cavalry and 1,718 artillery, in all 60,079 men with 68 guns, about 600 ambulances, 2,500 wagons and provisions for 20 days.

The Confederates under General Hardee, whose headquarters were at Charleston and who had about 16,000 men, occupied the line of the Salkehatchie River while Wheeler's cavalry operated on the heads and flanks of the advancing column. On February 1 Howard's right wing marched from Pocotaligo for the Beaufort and Rivers' bridges of the Salkehatchie for the purpose of pushing on to the Edisto River, thus flanking Charleston. On February 3 there was a sharp engagement at Rivers' bridge, in which Mower's and Giles' divisions of Blair's 17th corps crossed the swamp nearly three miles wide

with the water nearly up to the waist and carried the bridge with a loss of 88 killed and wounded, the Confederate loss being 52 killed and wounded. Being driven from the line of the Salkehatchie, the Confederates retreated to Branchville beyond the Edisto, burning the railroad bridge and Walker's bridge across the Edisto behind them. The left wing under Slocum marched through Barnwell and on February 10 both wings were in the vicinity of Branchville on the Charleston and Augusta Railroad. On the left Kilpatrick went as far as Aiken and threatened Augusta. For some days the army was occupied in destroying the railroads leading from Branchville after which the march toward Columbia was begun, each corps taking a separate road.

The march was marked by a line of buildings and cotton bales afire. The soldiers tore up the railroads, twisted the rails and destroyed all the rolling-stock. The Confederates themselves set fire to large quantities of cotton sent to prevent its falling into the hands of the Union army. Wheeler proposed that if the Union army discontinued the burning of Southern homes the Confederates would discontinue the burning of cotton. In reply, on February 8, Sherman said:

"I hope you will burn all the cotton and save us the trouble. We don't want it and it has proven a curse to our country. All you don't burn I will. As to private houses occupied by peaceful families, my orders are not to molest or disturb them and I think my orders are obeyed. Vacant houses being of no use to anybody, I care

little about, as the owners have thought them of no use to themselves. I don't want them destroyed but do not take much care to preserve them." *

Undoubtedly there was much unnecessary vindictiveness on the part of the Northern commanders. Writing to Sherman on December 18, 1864, Halleck said: "Should you capture Charleston I hope that by some accident the place may be destroyed, and if a little salt should be sown upon its site it may prevent the growth of future crops of nullification and secession."† In reply on December 24, 1864, Sherman said: "The whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate but feel that she deserves all that is in store for her."‡ Possibly Sherman's destructiveness may have been justified by military necessity but his army and the stragglers with it were not under sufficient control. Though many of the general officers endeavored to restrain the depredations of the soldiers and though some punishments were inflicted, there was a gross amount of unnecessary pillaging and destruction, Kilpatrick's cavalry probably being the worst offenders.

Howard's corps pushed forward by the Orangeburg road and on the 16th his head of column approached Columbia which was occupied by General C. L. Stevenson's division of infantry

and the cavalry divisions of Butler and Wheeler, in all about 5,000 men. Stevenson fell back to Winnsboro, leaving Wade Hampton, commanding the cavalry, to follow. On the 17th Howard's 15th corps marched through the city and encamped beyond it on the Camden road. Meanwhile, on the 15th, the city had been placed under martial law but this did not prevent much lawlessness and a number of highway robberies. The inhabitants began to prepare for flight on the approach of the Union army and the movement toward the country favored the operations of a band of greedy and reckless plunderers. Early on the morning of the 17th the South Carolina Railroad depot took fire as a result of the work of these desperadoes and a scene of the wildest terror ensued.* A large pile of cotton bales had been removed from the warehouses to one of the principal streets for transportation to the open fields where they might be burned with safety. As transportation facilities were lacking, however, Wade Hampton urged Beauregard to issue an order that this cotton should not be burned lest the fire spread to the wooden shops and houses near by. Though such an order was given the cotton bales were ripped open and the cotton was set afire before the Federal troops entered the city.† Between

* *Official Records*, vol. xlvii., pt. ii., p. 342.

† *Ibid.*, vol. xlv., p. 741.

‡ *Ibid.*, p. 799.

* William Gilmore Simms. *The Sack and Destruction of Columbia*, pp. 10-12; *Official Records*, vol. liii., p. 1050.

† *Official Records*, vol. liii., p. 1050.

10 and 11 o'clock the Charlotte depot was fired by order of General Beauregard.* About 11 o'clock Colonel George A. Stone's brigade of the 15th corps took possession of the town which had been surrendered by the mayor and raised the United States flag on the State House. Soon afterward Sherman and Howard rode into the city and observed piles of cotton burning and the Union soldiers co-operating with the citizens in an attempt to extinguish the fire.† In this they were unsuccessful, however, and by daylight the next day two-thirds of the city lay in ashes, including a number of business blocks, private residences, schools, the railroad station, several churches and a convent.

The origin of the fire is variously stated. Sherman believed that the cotton had been rekindled by the high wind and burning fragments had again set fire to the town.‡ It is more probable, however, judging from the mass of testimony regarding the fire that it was the work of drunken soldiers, stragglers and bummers. When the Union army arrived in the

city the soldiers had been supplied by the citizens with large quantities of liquor with the result that they were soon drunk, excited and unmanageable. The convicts in the jail had been released in some manner and joining the drunken stragglers and bummers engaged in a disgraceful pillage of the city. Colonel Stone tried to preserve discipline but so few of his soldiers were sober that even those on patrol were ordered from this duty and supplanted by another brigade. This did not restore order, however, and when darkness came the torch was applied to many houses. The high wind drove the flames from building to building and soon the best part of Columbia was in ruins. Colonel Stone attributed the fire to "some of our escaped prisoners and citizens."** General C. R. Woods, commanding the first division of the 15th corps, stated that "the town was fired in several different places by the villains that had that day been improperly freed from their confinement in the town prison. The town itself was full of drunken negroes and the vilest vagabond soldiers, the scum of the entire army being collected in the streets."† General W. B. Woods, who commanded the brigade that relieved Stone, said: "I am satisfied by statements made to me by respectable citizens of the town that the fire was first

* On the burning and sacking of Columbia see also *Southern Historical Papers*, vol. vii., pp. 156-157, 185-192, 249; vol. viii., pp. 202-214; vol. x., pp. 92-93, 109-119; vol. xii., p. 233; *South Carolina Women in the Confederacy*, pp. 247-254, 261-272, 288-335; Pendleton, *Life of Alexander H. Stephens*, pp. 283-289; D. H. Trezevant, *The Burning of Columbia, S. C., a Review of Northern Assertions and Southern Facts; Who Burned Columbia?*, in *American Historical Review*, vol. vii.; *Confederate Military History*, vol. v., pp. 364-367; Pollard, *The Lost Cause*, p. 665 et seq.

† *Official Records*, vol. xlvii., pt. i., pp. 21, 198.

‡ *Ibid*, vol. xlvii., pt. i., p. 21.

* *Official Records*, p. 265.

† *Ibid*, pt. i., p. 243.

set by the negro inhabitants.”* On the other hand, Sherman says:

“I disclaim on the part of my army any agency in the fire but on the contrary claim that we saved what of Columbia remains unconsumed. And without hesitation I charge General Wade Hampton with having burned his own city of Columbia not with malicious intent or as a manifestation of a silly ‘Roman stoicism’ but from folly and want of sense in filling it with lint, cotton and timber.”

Southern writers accuse Sherman of having permitted the burning of Columbia, if he did not order it directly.† They assert that the destruction of the city was premeditated, though before entering the city Sherman had issued an order to Howard to destroy the public buildings, railroad property, manufacturing and machine shops, but to spare libraries, asylums and private dwellings.‡ Sherman himself said:

“If I had made up my mind to burn Columbia I would have burned it with no more feeling than I would a common prairie dog village, but I did not do it. * * * The burning of the private dwellings, though never designed by me, was a trifling matter compared with the manifold results that soon followed. Though I never ordered it, and never wished it, I have never shed many tears over the event, because I believe it hastened what we all fought for, the end of the war.”

Whoever may have been responsible for what has been termed a piece of wanton mischief,|| it is certain that the general officers did their best to prevent the spread of the conflagra-

tion and early on the morning of February 18 the blaze was under control. On that day Howard issued a peremptory order commanding “the utmost vigilance to prevent at all costs, even to the taking the life of any refractory soldiers, a recurrence of the horrors of last night.”* Discipline was tightened up and perfect order soon prevailed. During the 18th and 19th the arsenal, railroad depots, machine shops, foundries, powder mills, storehouses for ammunition and ordnance, the gas works and the railroads in the vicinity of the city were destroyed. On the 20th Sherman with the right wing marched from Columbia and threatened Charlotte, North Carolina. He destroyed the railroad between Columbia and Winnsboro and at the latter place was joined by Slocum.

Meanwhile Slocum, advancing by Barnwell and Lexington, destroyed the Charleston and Augusta Railroad for several miles and, after menacing Augusta, received orders to cross the Saluda River at Mount Zion’s Church above Columbia. During the night a bridge was constructed and the next day Slocum and Kilpatrick crossed, passed over Broad River and on the 21st arrived at Wimsboro, on the way destroying several miles of railroad north and south of Alston. The capture of Branchville and the occupation of Columbia by Sherman rendered necessary the evacuation of Charleston. On January 22 Governor Mc-

* *Official Records*, p. 252.

† See for instance Simms, *Sack and Destruction of Columbia*, p. 56; Roman, *Life of Brauergard*, vol. ii., p. 369; *Southern Historical Papers*, p. 186 (April, 1879).

‡ *Official Records*, vol. xlvii., pt. ii., p. 44.

|| Trent, *Life of Simms*, p. 281.

* *Official Records*, vol. xlvii., pt. ii., p. 475.

Grath had pleaded with Davis for reinforcements to hold the city* but though efforts were made to collect a force they were unavailing.† With its supplies cut off, with Sherman's army in the rear, closely beset on James Island by the forces of the Department of the South, with Admiral Dahlgren's powerful fleet in front, Charleston was no longer tenable as a military post, and Hardee's only course was to escape while he could by a single northerly coast line of railroad still opened to him. Prominent citizens had already left, the arms and stores were being removed and on February 18 the city was surrendered. The public buildings, two ironclad steamers, much cotton and other property were destroyed and with about 14,000 men Hardee moved to Cheraw on the Pedee River, and thence by a long march to Fayetteville, North Carolina. On February 19 the Union troops occupied the city and captured 450 abandoned guns.

Everything presented a scene of desolation. The city had been fired and churches and private residences burned, but not satisfied with the desolate condition of the city the Union troops wreaked their vengeance on the cradle of secession by robbery and pillage.‡ The inhabitants of the city were poverty-stricken, clothed in rags, and their boots were out at the toes.

Colonel Stewart L. Woodford wrote on March 16:

"The suffering here is great, nor is it confined to the poorer classes alone. * * * Families who have heretofore derived their income from country estates are now of necessity in want. Others whose property has been gradually absorbed into rebel bonds are penniless. The rebel currency is worthless. Thus many who have been tenderly reared are now suffering. Instances of want come daily and hourly to my notice which I am powerless to alleviate." *

Howard called upon the officers and soldiers "who have one spark of honor or respect for the profession which they follow to help [him] put down these infamous proceedings and to arrest the perpetrators."† But though some punishments were inflicted, the depredations continued as long as the army was in South Carolina. On March 7 Frank P. Blair, Jr., commander of the 17th corps, reported "that every house on [my] line of march to-day was pillaged, trunks broken open, jewelry, etc., taken."‡

Three weeks after the troops entered North Carolina General Oliver reported:

"A large number of mounted men from this corps [the 15th] are stripping the people of everything that can sustain life. I saw families of women, children and negroes who had absolutely nothing to eat and their houses and quarters stripped of everything — cooking utensils, bedding, crockery, etc. Some rascals are beginning to set fire to the deserted houses of those who have fled to Goldsborough." ||

* *Official Records*, p. 1035.

† *Ibid.*, pp. 1016, 1191, 1250-1255.

‡ *Ibid.*, vol. xlvii., pt. ii., pp. 484, 641, 659, 698, 710.

* *Official Records*, p. 711.

† *Ibid.*, p. 505.

‡ *Ibid.*, p. 714.

|| *Ibid.*, pt. iii., p. 46.

From Winnsboro, Slocum destroyed the railroad as far north as Chester, threatened Charlotte, and then forcing to the left the Confederates who were concentrating to dispute the march on Charlotte, the entire army turned east from Fayetteville, Slocum crossing the Catawba River at Rocky Mount and joining Howard who had marched by roads farther south at Cheraw (March 3). Here were found 24 guns, 3,600 bales of gun powder and large quantities of public and private stores sent from Charleston for safe keeping. Hardee made no opposition to the occupation of the place and retreated to Fayetteville, leaving Wade Hampton's cavalry to cover his rear and burn the bridges. On March 6 Sherman resumed his march to Fayetteville by four different roads and reached that place on the 10th, Hardee again retreating without a show of defence, leaving Wade Hampton to skirmish with Sherman's advance and burn the bridge over the Cape Fear River. Kilpatrick, covering Sherman's left and rear, was surprised by Hampton's cavalry and quite roughly handled. He lost all his guns and 183 men, but soon afterward recaptured the guns. Before reaching Fayetteville, Sherman learned that Terry had taken Wilmington and the day after the arrival of the army a Union steamer came up the Cape Fear River confirming the news and bringing mail and dispatches. The three days following the arrival of the army at Fayetteville

were passed in destroying the arsenal, foundries and machine shops. Every building was entirely demolished or burned and every piece of machinery was utterly broken up and ruined by the engineers.*

Apprehending that Johnston would seek an opportunity to strike him on the last stage of the march, Sherman ordered Slocum on the left to send his trains under a strong guard by an interior road on his right and to keep at least four divisions with their artillery on the left well in hand to repel an attack. Under this order the divisions of Geary and Baird were detailed to guard the trains. Preceded by Kilpatrick's cavalry, Slocum advanced on the direct road to Avera'sboro to make a feint at Raleigh after which Kilpatrick was to strike the railroad near Smithfield. On the morning of the 16th, after forcing back the Confederate rear guard, Kilpatrick came upon a line of intrenchments on a narrow neck of swampy land between the Cape Fear and South rivers and covering the road to Bentonville, along which Slocum's wing should march to Goldsboro. Kilpatrick's cavalry was moved to the right and Jackson's and Ward's divisions of Williams' 20th corps were deployed in front of the Confederate line and the two divisions of the 14th corps ordered up on Williams' left. Case's brigade was sent by Williams to the

* *Official Records*, vol. xlvii., pt. i., p. 171. See also Mrs. J. Worth and J. A. Williams, Jr., *Sherman's Entry into Fayetteville, N. C., March 11, 1865* (1909).

left to gain the flank and rear of the Confederate line and succeeded in flanking it and sweeping it from position, capturing McBeth's Charleston battery of three guns and 217 of Rhett's artillery, acting as infantry. About 400 yards in rear of the first line Jackson's and Ward's divisions came upon another Confederate line. Kilpatrick was sent to the right to seize the Bentonville road but his leading brigade was driven back by McLaws' division, whereupon the Union infantry advanced against Hardee and drove him inside his works, Slocum then bivouacing in his immediate front. During the night Hardee retreated leaving 108 dead and 68 wounded on the field, his entire loss being about 650, of whom 175 were captured. Slocum's loss was 77 killed and 477 wounded. Hardee was pursued by Ward a short distance beyond Averasboro and Hardee retreated toward Smithfield.*

Under the impression that the Confederates would make no further opposition to his progress, Sherman instructed his commanders to march toward Goldsboro. On the night of the 18th, after driving back Hampton's cavalry, the left wing, with the 14th corps in advance, encamped 25 miles from Goldsboro and 5 from Bentonville at a point where the road from Clinton to Smithfield crossed the one to Goldsboro. Two divisions of the 20th corps were encamped 10 or

12 miles to the rear while the divisions of Baird and Geary were on other roads with the trains still farther to the south. Howard's two corps were to the south and east, their advance at Lee's Store, more than a day's march distant. Sherman had been with Slocum and the left wing since March 14 and on the morning of the 19th started to join Howard, to concentrate his forces, and unite with Slocum at Goldsboro where he expected to meet Schofield and Terry. Sherman did not suspect that General Johnston with a strong force was in front of Slocum but supposed that the only opposition to be encountered was the Confederate cavalry.

On February 23 Lee had assigned Joseph E. Johnston to command all the forces that could be collected to make head against Sherman. At this time Hardee was moving toward Fayetteville, North Carolina; Beauregard was directing the march of C. L. Stevenson from Winnsboro to Charlotte; Cheatham with his division of Hood's army had come from Augusta, Georgia, and was moving toward Charlotte, though on the west side of the Congaree and Broad rivers; and A. P. Stewart with about 1,000 men of Hood's army was marching toward Charlotte. Johnston's first task was to concentrate these troops; this was done at Smithfield, North Carolina, where he was joined by Hoke's division from Lee's army at Richmond, which had unsuccessfully engaged General Cox near Goldsboro. On

* *Confederate Military History*, vol. iv., pp. 282-284; vol. v., pp. 368-369.

March 1, 1865, Cox with three divisions of infantry had pushed forward from Newbern, North Carolina, toward Goldsboro to open communication with Sherman, and on the 7th two of his divisions were at Wise's Forks near Southwest Creek, a tributary of the Neuse River, with one division three miles in the rear. A brigade was advanced to a crossroad about midway between the main line and the creek. On the night of March 7-8 General Hoke with his Confederate division crossed the creek, routed the advanced brigade, took over 900 prisoners and, pressing on, unsuccessfully attacked Cox's left, and a second assault was quite as ineffective. On the 9th there was sharp skirmishing when the Confederates made repeated efforts to turn the right of Cox's line, but were foiled. On the morning of the 10th Hoke and D. H. Hill vigorously assailed first the left and then the right of Cox's line, but were checked, and General Bragg, who was in supreme command, retreated across the Neuse River, during the night burned all bridges behind him, left a small guard at Kinston, and with the rest of his command hastened to join Johnston. The Union loss at Kinston was 65 killed, 319 wounded and 930 missing; the entire Confederate loss was probably about 1,200.* These were the troops that joined Johnston at Smithfield, North Caro-

lina. The Confederate army was further augmented by Stephen D. Lee with about 3,000 men of Hood's army so that in all Johnston had about 20,000 men. As subordinate commanders, Johnston had Generals Bragg, Hardee, A. P. Stewart, Stephen D. Lee, Wade Hampton and others.

On March 18 Johnston learned that Sherman was marching toward Goldsboro and was informed by Wade Hampton that the 14th corps was in his immediate front, that the 12th corps was several miles to the rear on the same road, and that Howard's two corps were on roads some miles to the south. Johnston therefore decided to crush the 14th corps before the 20th could come to its assistance and then to fall upon the 20th. He ordered Hampton to hold Slocum's head of column in check until he could march from Smithfield and join him to give battle on ground that Hampton had selected—about three miles south of Bentonville. The next morning Hampton's cavalry became engaged with Carlin's division of the 14th corps. Carlin deployed his entire division and brought up his artillery, and one brigade was sent to the left to develop the Confederate line. As the advance was disputed Morgan's division moved to Carlin's right as a support and the entire line was ordered forward. The stubborn resistance offered by the Confederates convinced Slocum that he had something more than cavalry opposing him

* *Official Records*, vol. xlvii.; Cox, *Military Reminiscences*, vol. ii., and *March to the Sea*, p. 177 et seq.

and this was fully explained soon afterward when he was informed by a Confederate deserter that Johnston was in his immediate front.

Slocum then threw up works, ordered Williams commanding the 20th corps to throw his train to the right and hasten up, and sent a messenger to Sherman with the information that Johnston's army was in his front. In advancing, Carlin's division struck Hoke's division but after some severe fighting was repulsed; whereupon Johnston ordered Hardee to charge with the right wing, Stewart's troops from the Army of Tennessee, and Taliaferro's division, and directed General Bragg to join in the movement with his brigades successively from right to left, each making the necessary change of front to the left in advancing. Hardee drove Carlin back just as the advance of the 20th corps came up. One brigade of the latter was sent to Carlin's support but was driven back with him. Another brigade was put in the gap between Carlin and Morgan just as the Confederates reached the line, and the remainder of the corps formed on Carlin's left. In advancing through the woods the Confederate formation had become broken and when the troops met a telling fire from behind intrenchments that had been thrown up they fell back. On the right Morgan's division of the 14th corps repulsed Bragg's persistent assaults. Johnston had given the 14th corps a heavy blow but had failed to crush it

and determined not to renew the attack but to hold the ground until the wounded could be removed.

Meanwhile, on receiving Slocum's message from Captain Joseph B. Foraker, Sherman ordered the 15th and 17th corps to move toward Bentonville. During the night Hazen's division of the 15th corps reported to Slocum and was placed on the right. Early in the morning of the 20th the four brigades under Geary and Baird arrived on the field, Baird being placed in front of the works and beyond the advanced position held on the preceding day. The right wing under Howard came up on the night of the 20th and the morning of the 21st, its advance having been retarded by skirmishing with Confederate cavalry. During the 21st the skirmishing continued, but there was no formal onset, and during the night Johnston retreated across Mill Creek, halting on the night of the 22d near Smithfield. The Union loss at Bentonville was 191 killed, 1,168 wounded and 287 missing and the Confederate loss 239 killed, 1,694 wounded and 673 missing. On March 22 Sherman resumed the march on Goldsboro and on the 23d and 24th the entire army was assembled around the place, Schofield and Terry's forces having occupied it two days before.*

* *Official Records*, vol. xlvii.; Van Horne, *History of the Army of the Cumberland*, vol. ii.; *Battles and Leaders*, vol. iv., pp. 680-705; Johnston's *Narrative*; Sherman, *Memoirs*, vol. ii.; Cox, *The March to the Sea*, pp. 185-198; *Confederate Military History*, vol. iv., pp. 143-147, 284-285; vol. v., pp. 369-371; vol. viii., pp. 172-176.

Meanwhile, in February, Grant had directed Thomas to send an expedition under Stoneman from east Tennessee to penetrate North Carolina and well down to Columbia, South Carolina, to destroy the enemy's railroads and resources in that section and visit a portion of the State which could not be reached by Sherman's army then marching northward from Savannah. Stoneman's force which was concentrating at Mossy Creek on March 22 consisted of the cavalry division of General A. C. Gillem, three brigades and three regiments each under Colonels W. J. Palmer, S. B. Brown and I. K. Miller, numbering about 6,000 men. As news of the capture of Columbia by Sherman had been received and as it was rumored that Lee would evacuate Petersburg and Richmond with the possible intention of moving to Knoxville by way of Lynchburg, Stoneman was directed to move toward the latter place, destroy the railroad, and then sweep through western North Carolina. On March 24 Stoneman went to Morris-town and sent Miller's brigade to cut off a Confederate force between Jonesboro and Carter's Station, but the force escaped and on the 26th Miller rejoined Stoneman at Jonesboro. On the same day Stoneman left Jonesboro, arrived at Boone, North Carolina, two days later, captured a body of home guards and then, dividing his column, marched by two different routes across the Blue Ridge and through Wilkesboro, Jacksonville,

Mount Airy, North Carolina, and Hillsville, Wytheville, Christianburg and Salem, Virginia, to within four miles of Lynchburg, destroying bridges and railroad track, capturing trains and prisoners and compelling the Confederates to abandon many guns. By April 6 Stoneman was in possession of 90 miles of the Virginia Railroad from Wytheville north to Lynchburg, had destroyed several bridges, and on the 9th arrived at Danbury, North Carolina. The next day Palmer was sent to Salem, North Carolina, where he demolished the Confederate clothing factories, destroyed the railroad south of Greensboro and also a part of it between that place and Danville, Virginia. The main column moved toward Salisbury and on the night of the 11th bivouaced 12 miles north of that place. The bridge across Grant's Creek, two miles from Salisbury, was defended by Colonel J. C. Pemberton with 18 guns and General Gardner with 3,000 troops. After detachments had been sent across the stream above and below the Confederates to attack their rear, Stoneman charged and totally routed the Confederates, capturing the 18 guns, 1,364 prisoners, 10,000 stand of arms and some wagons. The Confederates were pursued through Salisbury where an immense amount of public property was destroyed and the railroad was wrecked for several miles south of that place. Stoneman reached Lenoir on the 15th where he turned over the command to General

Gillem, and with a strong escort conducted the captured artillery and prisoners to Tennessee.

He had instructed Gillem to scout on the east side of the Blue Ridge, to put Palmer's brigade at Lincolnton to scout down the Catawba, to have Brown connect with Palmer and to have Miller at Asheville open communication through to Greenville, Tennessee. When Gillem with the two brigades of Brown and Miller reached the Catawba, he came upon General McCown with about 300 men and one gun, but soon routed him and captured his gun and about 50 prisoners. On the 19th Gillem moved toward Asheville and reached Swannanoa Gap on the 20th where he struck a force of 500 men with 4 guns. Leaving Miller in front, Gillem with

the rest of the force moved around to the Confederate rear. At daylight of the 23d Gillem's advance reached Hendersonville, but there learned that the Confederates had retreated. Gillem pursued and captured 70 men and 4 guns. The entire column then marched toward Asheville and when near the town was met by a flag of truce with the information that an armistice had been arranged between Sherman and Joseph E. Johnston, but Gillem went on into east Tennessee. The raid was one of the most successful and destructive of the war, 25 guns having been captured in action and 21 others that had been abandoned by the Confederates. About 6,000 prisoners and 17 battle flags were captured.*

CHAPTER XLVI.

1864-1865.

THE THIRTEENTH AMENDMENT: PEACE PROPOSITIONS: THE SECOND INAUGURAL.

Early efforts to pass laws abolishing slavery — Final passage of such a law — Blair's Mexican project — Conditions in the Confederate States — The Hampton Roads conference — Lincoln's proposition to pay for slaves — Congress' refusal to admit Southern representatives — The question of counting the electoral votes of reconstructed States — Lincoln's second inaugural.

Though slavery was virtually dead, it had not been abolished by law. Accordingly a movement began in Congress when that body assembled in December of 1863. In his message of December 8, 1863, Lincoln referred to the subject very briefly:

"The movements by State action for emancipation in several of the States not included in the Emancipation Proclamation are matters of pro-

found gratulation. And while I do not repeat in detail what I have heretofore so earnestly urged upon this subject, my general views and feelings remain unchanged; and I trust that Congress will omit no fair opportunity of aiding these important States to a great consummation."†

* *Official Records*, vol. xlix.; Van Horne, *History of the Army of the Cumberland*, vol. ii.

† Richardson, *Messages and Papers*, vol. vi., p. 191; Nicolay and Hay, *Life of Lincoln*, vol. x., p. 73.

Accordingly on December 14, 1863, Representatives J. M. Ashley, of Ohio, and James F. Wilson, of Iowa, each introduced such an amendment into the House proposing that slavery be prohibited throughout the United States. These propositions were referred to the Committee on the Judiciary, but before a report had been made Senator John B. Henderson, of Missouri, on January 11, 1864, introduced a joint resolution to the same effect in the Senate, which was sent to the corresponding committee there, as was also a resolution introduced by Sumner nearly a month later. On February 10 Lyman Trumbull, chairman of the committee, reported back a substitute for all these propositions which in its final form became the Thirteenth Amendment to the Constitution. As reported, this was as follows:

"Section I. Neither slavery nor involuntary servitude except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Section II. Congress shall have power to enforce this article by appropriate legislation."*

The Senate did not take up the matter for more than six weeks, but on March 28 Trumbull formally opened the debate with an elaborate speech. The discussion continued until April 8 when the amendment was passed by the Senate by a vote of 38 to 6. In the House there was much opposition to the measure. It came up for discussion on May 31 and the debate

continued until June 15, when upon the final question of its passage the vote stood 93 to 65. As the vote in favor did not constitute the required two-thirds, the measure was lost and was not reconsidered during the session.*

In his annual message to Congress on December 6, 1864, Lincoln again recommended the passage of the measure.† Accordingly on December 15 Ashley gave notice that on January 6 he would call up the constitutional amendment for reconsideration. On that day he opened the debate which continued from time to time during January, the Republicans favoring and the Democrats opposing the amendment. William S. Holman, of Indiana, made objection to it because it was unnecessary,‡ and S. S. Cox, of Ohio, declared that the Union slaveholding States, by their actions, were rendering the amendment useless.|| The issue was decided on January 31, 1865. In the House the vote stood 119 in favor, 56 against it and 8 not voting. The result was received with an outburst of applause and the House adopted a resolution to adjourn "in honor of this immortal and sublime event." The amendment was ratified in due time by the

* Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 76-78; Rhodes, *United States*, vol. iv., pp. 472-474.

† Richardson, *Messages and Papers*, vol. vi., p. 252; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 80-81.

‡ *Globe*, p. 219.

|| *Ibid*, p. 242.

* *Globe*, p. 1313.

constitutional majority of the States and became Article XIII. of the Constitution.*

Meanwhile the veteran politician Francis P. Blair, Sr., desired to undertake the rôle of mediator between the North and the South. On December 28, 1864, Lincoln gave him a pass through the Union lines and two days later he wrote to Davis requesting a confidential interview at which the subject of peace propositions might be discussed.† Davis granted an interview on January 12, 1865, at which Blair proposed that a secret armistice be made so that Davis might transfer a portion of his army to the banks of the Rio Grande, that an alliance be made with the Mexicans who adhered to Juarez, that, if necessary, Northern soldiers would join the enterprise, and that under the leadership of Davis this united force should expel the Bonaparte-Hapsburg dynasty from our southern border. He suggested that in delivering Mexico Davis "should model its States in form and principle to adapt them to our Union and add a new southern constellation to its benignant sky, while rounding off our possession on the continent at the isthmus, and opening the way to

blending the waters of the Atlantic and Pacific.'"* On the same day Davis sent a note to Blair expressing his willingness to enter into negotiations for the restoration of peace and his readiness to send a commission for that purpose whenever he had reason to suppose it would be received. He would also receive a commission if the United States Government chose to send one.

Lincoln ignored the Mexican project but on January 18 wrote to Blair that he was always ready to receive any agent whom Davis might send with a view of securing peace to the common country.† Lincoln's note was delivered to Davis who was now between the alternatives of repeating his stubborn ultimatum of separation and independence or of accepting Lincoln's ultimatum of reunion. The Richmond authorities knew that the Confederacy was on the point of collapse. Though greatly depreciated, Confederate paper money had almost disappeared and \$1 in gold was worth \$60 in paper. Flour was selling for \$1,000 a barrel in Confederate currency and beef was \$6 a pound. The weather was cold, fuel was scarce, and what wood was obtainable was

* Rhodes, *United States*, vol. v., pp. 49-50; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 84-86. For text see vol. iii., p. 505 of this History. See also S. S. Cox, *Union, Disunion, Reunion: Three Decades of Federal Legislation*, p. 320 *et seq.*; Julian, *Political Recollections*, p. 250; Dunning, *Essays on the Civil War and Reconstruction*, p. 82; Pierce, *Life of Sumner*, pp. 184, 211.

† See his letter in Nicolay and Hay, *Life of Lincoln*, vol. x., p. 95.

* The text of the suggestions submitted to Davis are in Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 97-102. See also Rhodes, *United States*, vol. v., pp. 58-59. Regarding the interview see also Davis, *Rise and Fall of the Confederate Government*, vol. ii., p. 612 *et seq.*; *Confederate Military History*, vol. i., pp. 543-549.

† Nicolay and Hay, *Life of Lincoln*, vol. x., p. 108.

selling for \$5 a stick.* Moreover, the capture of Fort Fisher had closed the last avenue through which foreign supplies could be imported by blockade-runners. Lee's army was in sore straits for supplies since those from Georgia had been cut off by Sherman and the country in the vicinity of the army had been swept clear.† For several months the Confederate army had been living from hand to mouth‡ and to make matters worse the officers were so destitute of money that they could not buy food.¶ At this time, too, Davis and the Confederate congress were not on the best of terms. In this state of affairs Davis discussed the project of a peace commission with the members of his cabinet and it was determined to send Stephens, R. M. T. Hunter, and John A. Campbell as commissioners for a formal conference with Lincoln.

Accordingly on the evening of January 29, 1865, the Confederate commissioners appeared at the Union lines near Richmond and Lincoln promptly dispatched orders for their admission. After an interchange of many letters a conference with Lincoln and Seward was arranged for February 3, 1865, aboard the *River Queen* lying at anchor near Fortress Monroe. Stephens began the discussion by asking if there were no way of restoring the harmony and happiness of former

days. Lincoln replied: "There was one way that he knew of, and that was, for those who were resisting the laws of the United States to cease that resistance."** Stephens said that the Confederates had been led to believe that an armistice might be arranged and that the two parties to the struggle might occupy themselves with some continental question until their anger should cool and reconciliation become possible. As this involved Blair's Mexican proposition, Lincoln emphatically stated that whatever Blair had said was without authority. He was always willing to hear propositions for peace on the conditions of the letter sent to Davis and on no other, the restoration of the Union being a *sine qua non*. Stephens continued to argue on the Mexican project but Lincoln asserted that he could not give his consent to an armistice. After much conversation Judge Campbell inquired how restoration was to take place supposing that the Confederates agree to it. Lincoln replied that the shortest way would be to disband the armies and permit the National authorities to resume their functions. He asserted that he would not change or alter the terms of the Emancipation Proclamation in any way, while Seward informed the Southern commissioners that the Thirteenth Amendment abolishing slavery had just been passed by Congress. Stephens then asked if the Confederates

* Rhodes, *United States*, vol. v., p. 60.

† *Official Records*, vol. xlv., pt. ii., p. 1035.

‡ *Ibid.*, p. 1211.

¶ *Ibid.*, p. 1221.

** Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 118-119.

would be admitted to representation in Congress if they abandoned the war. Lincoln said that they ought to be but that he could not enter into any stipulation on the subject, and finally asserted that he could not treat with parties in arms against the Government. After further discussion Lincoln turned to Stephens and said:

"If I were in your place I would go home and get the governor of the State to call the legislature together and get them to recall all the State troops from the war; elect Senators and members to Congress, and ratify this constitutional amendment [the 13th] prospectively, so as to take effect — say in five years. Such a ratification would be valid in my opinion. * * * Whatever may have been the views of your people before the war, they must be convinced now that slavery is doomed. It cannot last long in any event, and the best course, it seems to me, for your public men to pursue would be to adopt such a policy as will avoid, as far as possible, the evils of immediate emancipation. This would be my course, if I were in your place." *

So far as the confiscation acts and other penal acts were concerned, Lincoln stated that their enforcement was left entirely with him, but on that point he would be full and explicit and on his assurance perfect reliance might be placed. He would exercise the executive power with the utmost liberality and would be willing to be taxed to remunerate the Southern people for their slaves. He believed that the Northern people were as responsible for slavery as the Southern people and if the States voluntarily abol-

ished slavery he should be in favor of the Government paying a fair indemnity for the loss to the owners. He knew that some favored an appropriation as high as \$400,000,000, but on this subject he could give no assurance nor enter into any stipulation.* Stephens once more urged him to reconsider the plan of an armistice on the basis of a Mexican expedition, but while Lincoln replied that he would reconsider it he did not think his mind would change. This ended the Hampton Roads conference.

Davis' chagrin over the failure of the mission was great. Stephens continued to believe that Lincoln would reconsider his decision and advised that the results of the meeting be kept secret, but when the other commissioners and Davis refused to follow this advice he abandoned the Confederate cause, retired from Richmond and went to his home.† Davis transmitted the report of the commissioners to the Confederate congress, stating that the Northern Government had refused any terms save those which a conqueror might grant. On the evening of February 6 a public meeting was held at which Davis made a remarkable speech. He said that his life was bound up with the Confederacy and that he could not be an agent for the reconstruction of the Union. With the Confederacy he

* Stephens, *War Between the States*, vol. ii., p. 614. See also Rhodes, *United States*, vol. v., p. 70; Nicolay and Hay, vol. x., p. 128; *Confederate Military History*, vol. i., pp. 550-559.

* Stephens, *War between the States*, vol. ii., p. 617.

† *Ibid.*, vol. ii., pp. 624-626.

would live or die and he thanked God that he represented a people too proud to eat the leek or bow the neck to mortal man.

The effect of the Hampton Roads conference on Lincoln had directly the reverse of the effect on Davis. He was confident that the North would triumph at no distant date, but his main thought was to shorten the conflict by generous conciliation. The day following his return from Hampton Roads was spent in perfecting a new proposal designed as a peace offering to the Confederate States. On the evening of February 5 he called the Cabinet together and submitted to them a draft of a message to Congress. He recommended that the House and Senate adopt a resolution empowering the President in his discretion to pay the sum of \$400,000,000 in 6 per cent. government bonds to the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia and West Virginia, as compensation for their slaves. This money was to be distributed among the States *pro rata* on their respective slave populations as shown by the census of 1860 and was to be dependent on the cessation of hostilities. One-half of this sum was to be paid when the war ceased, and the remaining half on the adoption of the Thirteenth Amendment recently passed by Con-

gress.* The Cabinet, however, was unanimous in its disapproval of this project, for it seemed impossible to pass such a measure through Congress.†

Meanwhile, on February 28, Congress had passed a resolution requesting the President to communicate whatever information respecting the Hampton Roads conference he might deem not incompatible with the public interest. On the 10th, therefore, Lincoln sent a message containing all the correspondence, followed by a brief report touching on the points of the conference.‡ When this message was received a party wrangle occurred, but the matters mentioned in the message were almost forgotten in the dispute over the admission of Representatives from some of the reconstructed Southern States. Lincoln, as we have seen, had strongly advised and actively promoted the formation of loyal State governments in Louisiana, Tennessee and Arkansas, had maintained the restored government of Virginia after the separation of West Virginia, and had officially given them the recognition of the executive department of the Government. When Representatives from these States applied to Congress for

* Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 133-134; Lincoln's *Complete Works*, vol. ii., pp. 635-636.

† See the diary of Secretary Welles quoted in Nicolay and Hay, vol. x., p. 136.

‡ Richardson, *Messages and Papers*, vol. vi., pp. 260-269.

admission, however, that body refused to uphold Lincoln's plan of reconstruction and declined to admit them.

It was now a question whether the popular and electoral votes of some of these States for President should be allowed and counted. On January 30 the House passed a resolution declaring the Southern States to have been in armed rebellion on November 8, 1864, and not entitled to representation in the electoral college.* When the matter came under discussion in the Senate the resolution was amended so as to read that the Southern States "were in such condition on the 8th day of November, 1864, that no valid election for electors of President and Vice-President of the United States, according to the Constitution and laws thereof, was held therein on the said day." In this form the joint resolution was passed by both Houses and as it was customary for the President to approve joint resolutions in the same manner as regular acts, Lincoln added his signature, but on February 8, to avoid the possibility of a charge that he had consented to or adopted a theory of reconstruction at variance with his former recommendations and actions, he sent a brief message to Congress, in which he said:

"In his [the President's] own view the two Houses of Congress, convened under the twelfth article of the Constitution, have complete power to include from counting all electoral votes deemed by them to be illegal, and it is not competent for

the executive to defeat or obstruct that power by a veto, as would be the case if his action were at all essential in the matter. He disclaims all right of the executive to interfere in any way in the manner of canvassing or counting electoral votes, and he also disclaims that by signing said resolution he has expressed any opinion on the recitals of the preamble or any judgment of his own upon the subject of the resolution."*

Meanwhile, on February 6, Congress had adopted what later became the famous "Twenty-Third Joint Rule," which in substance directed that disputes over electoral votes should be decided by each House for itself without debate, instead of by joint convention of the two Houses, and required the concurrence of both Houses for any affirmative action or to count a vote objected to.† When the two Houses met in joint convention on February 8 the Vice-President announced that he had returns from Louisiana and Tennessee, but would not submit them for consideration, as they could not change the result. These returns were not called for. Only the returns from the loyal States were counted, showing 212 electoral votes for Lincoln and 21 for McClellan. Accordingly Lincoln was declared elected for the Presidential term beginning on March 4, 1865.

On March 4 Lincoln's second inauguration took place. There was little variation in the ceremonies connected with this event and the most notable

* Richardson, *Messages and Papers*, vol. vi., p. 260; *Globe*, p. 711; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 140-141.

† Scott, *Reconstruction*, pp. 374-389.

* *Globe*, p. 505.

feature was Lincoln's inaugural address, which concluded with the wonderful and immortal words:

"With malice toward none, with charity for all, with firmness in the right as God gives us to see

the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations."*

CHAPTER XLVII.

1865.

LEE'S SURRENDER AND THE COLLAPSE OF THE CONFEDERACY.

The exhausted condition of Lee's army — The battle of Hatcher's Run, Dabney's Mill and Armstrong's Mill — Gordon's assault on Fort Stedman — The battles of Dinwiddie Court House, White Oak Road and Five Forks — The assault on the Petersburg Lines — Lee's retreat from Petersburg — Davis' flight and the evacuation of Richmond — Lincoln's visit to Richmond — His terms of peace — The battles at Sailor's Creek, Farmville and Highbridge — Lee's surrender at Appomattox — Wilson's raid from Chickasaw to Selma and Macon — Johnston's surrender to Sherman — Davis' proclamation — His capture and imprisonment — Surrender of the other Confederate armies — The cost of the war — Condition of prisoners.

The winter had been one of unusual severity, entailing much suffering upon both armies, but upon the Confederates especially, who were poorly fed and clothed. Lee strengthened his works and extended them up the south side of Hatcher's Run, where the Boydton plank road crosses the Run. A. P. Hill held the right from Hatcher's Run to Fort Gregg; Gordon and R. H. Anderson held the line from Hill's left to the Appomattox; and Longstreet from the Appomattox to the Confederate left, north of the James at White Oak Swamp. The length of the line was about 37 miles, 8 of which were north of the James. To cover these lines Lee on December 30 had about 59,000 officers and men while Grant at the same time had about 110,000. At this time Lee was in a dire condition, for while his soldiers were enthusiastic, the vacan-

cies in his ranks were not being filled up by volunteers. Moreover, many of the troops classed as present and fit for duty were well-nigh exhausted from fighting, exposure to the elements and constant dread of an assault by Grant. On March 5 Lee wrote:

"All the disposable force of the right wing of the army has been operating against the enemy beyond Hatcher's Run since Sunday. Yesterday, the most inclement day of the year, they had to be retained in line of battle having been in the same condition the two previous days and nights. I regret to be obliged to state that under these circumstances, heightened by assaults and fire of the enemy, some of the men had been without meat for three days, and all were suffering from reduced rations and scant clothing, exposed to battle, cold, hail and sleet. I have directed Colonel Cole, chief commissary, who reports that he has not a pound of meat at his disposal, to visit Richmond and see if nothing can be done.

* Richardson, *Messages and Papers*, vol. vi., pp. 276-277; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 143-145; Lincoln, *Complete Works*, vol. ii., pp. 657-659.

If some change is not made and the commissary department reorganized, I apprehend dire results. The physical strength of the men, if their courage survives, must fail under this treatment. * * * Taking these facts in consideration with the paucity of our numbers, you must not be surprised if calamity befalls us."*

On March 5 Campbell, as Assistant Secretary of War, reported on the situation of the Confederacy:

"Desertions have been frequent during the whole season and the morale of [Lee's] army is somewhat impaired. It sees everywhere else disaster and defeat and that their toils and sufferings have been unproductive. * * * The political condition is not more favorable. Georgia is in a state that may properly be called insurrectionary against the Confederate authorities. * * * North Carolina is divided * * * With the evacuation of Richmond the State of Virginia must be abandoned. * * * There is anarchy in the opinions of men here and few are willing to give counsel. Still fewer are willing to incur the responsibility of taking or advising action."†

But Davis was not yet ready to give up the struggle and in his message to the Confederate congress on March 13 stated that "there remains for us no choice but to continue the contest to a final issue."

Another measure which plainly foreshadowed the approaching ruin of the Confederacy was determined upon by the Confederate congress about the middle of March. This was the passage of an act of March 13, providing for the employment of slaves in the military service.‡ In a letter to a Mississippi representative on February 18 Lee expressed the

opinion that the negroes would make good soldiers and that the measure was "not only expedient but necessary." After the measure became law Lee coöperated with the Confederate war department in an effort to recruit negro troops; but the slaves manifested anything but alacrity to engage in the contest.

Meanwhile General Grant, well aware of the condition of affairs in the Confederacy, was desirous of carrying forward operations to bring the war to an effectual conclusion by the capture of Lee's army. His greatest source of uneasiness was the fear that Lee would abandon his lines about Petersburg and Richmond and unite with Johnston before he was ready to make an effectual pursuit.* Accordingly, on February 5, Grant put in motion an expedition to interrupt the Confederate line of communication by the Boydton road running through Dinwiddie Court House to Petersburg. Gregg's cavalry division was directed to march early in the morning by way of Reams' Station to Dinwiddie Court House and strike the road; Warren's 5th corps was to cross Hatcher's Run and support Gregg; General Humphreys commanding the 2d corps was ordered with two divisions to the crossing of the Vaughan road over the Run and to Armstrong's Mill to hold these two points and to keep up communication with Warren, four miles distant on the one side and with Miles' division

* *Official Records*, vol. xlvii., pt. ii., pp. 1209-1210.

† *Ibid*, vol. li., pt. ii., pp. 1065-1067.

‡ *Ibid*, series iv., vol. iii., p. 1161.

* *Official Records*, vol. xlvii., pt. i., pp. 47, 50, 52.

in the Union intrenchments three or four miles distant on the other. Humphreys pushed Mott's division to the south side of Hatcher's Run and Smyth's division to Armstrong's Mill on the north side about 1,000 yards from the Confederate works. Two brigades were sent to Smyth's support. At 5 p. m. on February 5, parts of A. P. Hill's and Gordon's corps came out of their works and, under cover of the woods, attacked Smyth, but without avail. Hartman's division of the 9th corps and Wheaton's of the 6th then further strengthened Smyth's line. Gregg captured some wagons and prisoners on the Boydton road and in the evening fell back to Malone's Bridge at Rowanty Creek, from which he moved up to the Vaughan road crossing, where he arrived early on the morning of the 6th with Warren, who had been ordered to support Humphreys. About 1 p. m. Warren with two divisions moved along the Vaughan and Dabney's Mill road; Gregg, supported by one of Warren's divisions, went down the Vaughan road to Gravelly Run to observe the left. Gregg was attacked by a part of Pegram's division, but repulsed the Confederates with the aid of a part of Griffin's division. Crawford's division of Warren's corps, moving along the Dabney's Mill road, also encountered part of Pegram's division and forced it back to Dabney's Mill, where Evans' division reinforced Pegram; and Crawford in turn was

driven back. Three Union brigades were then sent to Crawford's aid and at the same time Mahone's division arrived and took position between Evans and Pegram, when the whole Confederate line advanced, driving Warren back in great disorder. Some of Warren's men, however, rallied upon Wheaton's division which had crossed from the north bank of the stream, and the Confederates were checked. On the morning of the 7th no large force of the enemy was in sight, and the Union works were extended to Hatcher's Run at Vaughan road crossing. The Union loss was 1,352 killed and wounded and 187 missing. The Confederate loss was about 1,500, among the killed being General John Pegram.*

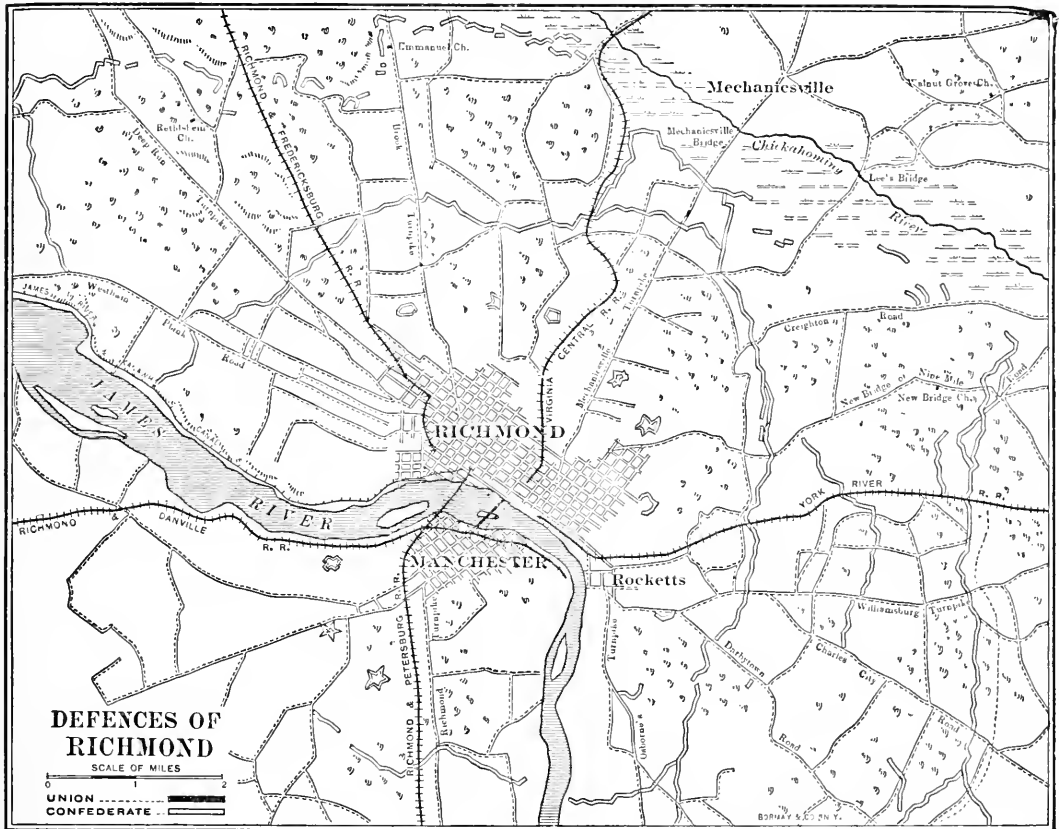
General Lee had foreseen that the evacuation of Petersburg would be forced upon him when Sherman approached from the south, and it was determined early in March that as soon as the roads would admit of movement the two places should be abandoned and the army moved to Danville to unite with General Johnston in an attack on Sherman, then marching northward from Savannah.† Before commencing his retreat, however, Lee proposed to make

* *Official Records*, vol. xlv.: Humphreys, *The Virginia Campaign of '64 and '65*, pp. 312-315; Walker, *History of the Second Army Corps*; Powell, *History of the Fifth Army Corps*; *Confederate Military History*, vol. v., pp. 351-352.

† Regarding this plan see the contradictory statements in Long, *Memoirs of R. E. Lee*, p. 403, and Davis, *Rise and Fall of the Confederate Government*, vol. ii., pp. 648-649.

a sortie in order to gain some of the works on the right of the line held by the Army of the Potomac, near the Appomattox and the ridge in their rear, with the expectation that this would oblige Grant to concentrate there by drawing in his left and thus postpone the necessity for abandon-

and the pickets 50 yards apart. The attack was made at 4 o'clock on the morning of March 25. By a sudden rush Gordon's men overcame the pickets and advance guards, took a long stretch of the main line, including Fort Stedman, the defenders of which, after a spirited resistance, were over-



ing Richmond and Petersburg until the weather was favorable for falling back to Danville. To this plan President Davis gave his assent. The sortie was committed to General Gordon with about one-half the army, the objective point being Fort Stedman on the 9th corps line, where the opposing lines were only 150 yards apart

and captured; the Confederates then made a vain attempt to sweep down upon the intrenchments. It was so dark that friend could not be distinguished from foe, but General Parke ordered Willcox to recapture the works with the aid of General Hartranft. By 7:30 A. M. Parke had regained part of the line and drawn

a cordon around Fort Stedman, while Tidball's artillery had concentrated a heavy fire upon it and the adjacent line. At 7:45 Hartranft attacked Confederate detachments moving in the direction of City Point, capturing or driving them back, and by 8 o'clock was in possession of Fort Stedman and the entire line, together with 1,949 prisoners and 9 stands of colors. His own loss was 72 killed, 450 wounded and 522 missing. The 6th corps then attacked and captured the Confederate picket line, losing 449 killed and wounded and 30 missing, while the same feat was performed by the 2d corps, which captured 365 prisoners, with a loss to itself of 51 killed, 462 wounded and 177 missing. The Confederates made several unavailing attempts to recapture their own advanced lines. The total Union loss in this engagement was 170 killed, 1,323 wounded and 729 missing. The Confederate loss, including prisoners, was about 4,000.*

On March 24 Grant issued his long and carefully prepared instructions for a general movement of the armies operating against Richmond. This movement was to begin on the 29th and its object was to destroy the railroads leading into Petersburg from the south, so as to force Lee to come out of his intrenchments and fight on

open ground or so far attenuate his line as to permit a successful assault. By this time Grant had been joined by Sheridan and his cavalry from the Shenandoah Valley and had under his command 101,000 infantry, 14,700 cavalry, and 9,000 field artillery, with 369 guns. Lee's army numbered about 46,000 infantry, 6,000 cavalry and 5,000 field artillery, with about 190 guns.* On the night of the 27th the movement began with the greater part of the Army of the James marching secretly from the right to the left of the Army of the Potomac. On the morning of the 29th Sheridan's cavalry with the 5th and 2d corps moved to the left to turn Lee's right. This movement resulted in the battles of Dinwiddie Court House and White Oak Road on March 30 and 31 and the battle of Five Forks on April 1.

The deploy to the left was led by Warren's 5th corps and Sheridan's cavalry, and the first engagement was near the Boydton road where Griffin's division of Warren's corps defeated two brigades from Lee's right, driving them back to White Oak Road. On the 30th the 2d and 5th corps closed in on the White Oak Road on Lee's right, and Wilcox's Confederate division, coming out of the intrenchments, assailed Warren but was driven back. Warren's advance division was now within 600 yards of the road. On the 31st Lee ordered

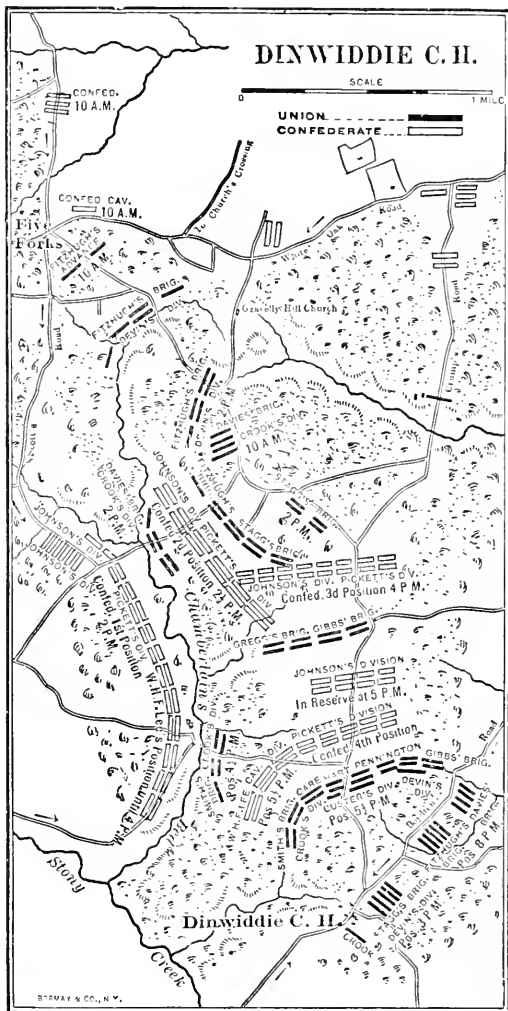
* *Official Records*, vol. xlv.; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 317-321; Walker, *History of the 2d Army Corps*; Powell, *History of the 5th Army Corps*; *Battles and Leaders*, vol. iv., pp. 579-594; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 161-164.

* See, however, the figures in Humphreys, *The Virginia Campaign of '64 and '65*, pp. 323, 432-434.

another onset. Hunton's and Wise's brigades attacked in front and McGowan's and Gracie's on the left flank. The divisions of Ayres and Crawford were driven back in disorder on Griffin's division, which checked the Confederate advance. General Miles with two brigades of the 2d corps struck Wise's brigade on the left flank, drove it back with severe loss in killed and wounded and compelled the entire Confederate assaulting party to retreat. Warren then resumed the offensive and pushed his advance across the White Oak Road. The loss of the 2d and 5th corps on the 31st was 1,311 killed and wounded and 556 missing.

Meanwhile, on March 29, Grant had written to Sheridan directing him not to make the contemplated raid on the enemy's roads at the present.* Sheridan pushed on to Dinwiddie Court House, 12 miles southwest of Petersburg, and on the 30th Devin's division and Davies' brigade were pushed 10 miles in advance in the direction of Five Forks, where they encountered the Confederate cavalry under General Fitzhugh Lee. At night Generals W. H. F. Lee and Rosser joined Fitzhugh Lee, and General Pickett with five brigades of infantry marched down the White Oak Road to Five Forks and assumed command of all the troops operating against Sheridan. Munford's cavalry brigade engaged Devin in front and Pickett moved with infantry and the other

two divisions of cavalry to gain Sheridan's left; crossed Chamberlain's Creek, struck Davies' brigade in flank, drove it back on Devin, interposed between Devin and Crook and, with



Munford's assistance, drove both Devin and Davies northeastwardly across the country. Fitzhugh Lee moved up and formed his cavalry on Pickett's flanks. In following Devin and Davies Pickett had exposed the rear of his column and a sudden at-

* *Official Records*, vol. xlvii., pt. i., p. 53.

tack by the brigades of Gibbs and Gregg forced him to face about, but he drove back the two brigades and advanced upon Dinwiddie Court House. Sheridan had called up Custer with his two brigades. Some artillery had also arrived and about three-quarters of a mile northwest of the court house a barricade was thrown up behind which Gibbs and Gregg rallied and Smith's brigade, slowly driven back by the Confederate cavalry, formed on the left. It was now near sunset. As Pickett advanced, artillery was opened upon him and the cavalry poured in such a deadly shower of bullets that he was quickly repulsed. This ended the battle of Dinwiddie Court House. The Union loss from March 29 to 31 was 2,198 killed and wounded and 583 missing. The Confederate loss is unknown.*

At the close of the battle of Dinwiddie Court House Sheridan was holding position in front of the place, confronted with Pickett's infantry and cavalry. At 12 p. m. Pickett, threatened by Warren's 5th corps on his left, retreated to Five Forks to protect his communications with the South Side Railroad. At daylight Sheridan followed him with the divisions of Custer and Devin, throwing Crook's division on roads to the left.

Pickett was found intrenched at Five Forks. By 1 p. m. Sheridan's cavalry had worked up close to Pickett's lines, and Sheridan ordered up the 5th corps. MacKenzie's cavalry division, advancing on the extreme right, drove back Roberts' cavalry and gained the White Oak Road. At 4 p. m. Warren had formed his lines, the divisions of Ayres and Crawford in double lines, with one brigade in reserve on the left and right, respectively, of Gravelly Run Church Road. A few minutes brought Warren to the White Oak Road, and Ayres whose right had crossed it, received a severe fire upon his left and at once changed front and attacked. Crawford kept straight on through the woods, and, receiving fire from Munford's cavalry, swerved to the right, thus isolating himself from Ayres. Griffin followed Crawford; but, taking in the situation, Griffin soon marched by the left flank and protected Ayres' flank, which had been thrown in some confusion. Meanwhile, acting with the cavalry on his left, Ayres, by a gallant charge, carried the left of the Confederate works and, supported on the left and right, swept down inside them to and beyond Five Forks, capturing many prisoners. On the right Warren took Crawford's division in hand, changed its direction to the left, and, advancing in rear of the Confederate infantry line with MacKenzie's cavalry on the right, drove Munford's cavalry, continually turning the left of the Confederates opposing Ayres. Griffin gained the road leading to the South

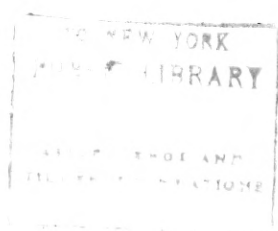
* *Official Records*, vol. xlv.; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 325-342; Walker, *History of the Second Army Corps*; Powell, *History of the Fifth Army Corps*; *Battles and Leaders*, vol. iv., p. 708 et seq.; Grant, *Personal Memoirs*, vol. ii.; Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 167-171.



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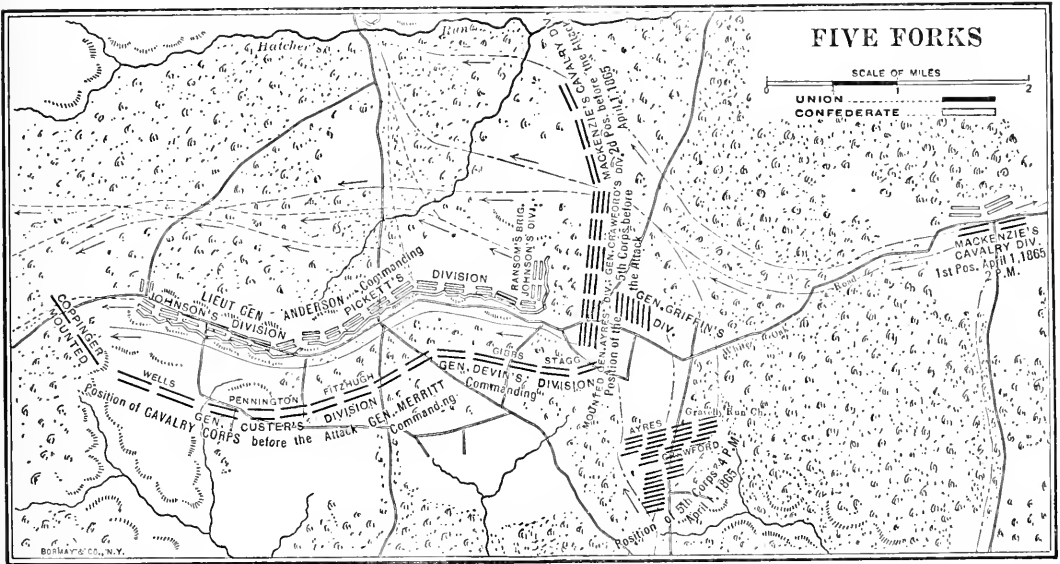
1. ONE OF THE CONFEDERATES WHO HAD MADE "A BRAVE DEFENSE" AT FORT GREGG, THOUGH A POOR DEFENSE OF WAR.

2 and 3. UNION PICKET POSTS IN ADVANCE OF THE UNION FORT SEDGWICK BEFORE PETERSBURG, CALLED BY THE CONFEDERATES "FORT HELL."



Side Railroad, forced Munford north of Hatcher's Run and took four guns and many prisoners. On the extreme left Custer, after a severe fight, had gained but little ground, until Devin and Ayres, advancing beyond the works, drove the infantry out. The Confederate cavalry made no further stand save to cover the retreat and, just before dark, Custer, in connec-

at Five Forks at 9 o'clock on the night of April 1 and ordered General Humphreys commanding the 2d corps on the left of the general intrenched line to "feel for a vulnerable point in the enemy's intrenchments and if one was found, to assault immediately."* Humphreys assaulted before midnight and carried the picket line, but was repulsed when he approached



tion with an attack by a small body of the 5th corps led by Warren himself, drove the last of the Confederates westward on the White Oak Road and followed them until long after dark. The Confederates were totally routed, losing over 5,000 men captured, 6 guns and 11 colors. Their loss in killed and wounded is not definitely known. The Union loss was 830 killed and wounded.*

General Grant heard of the victory

* *Official Records*, vol. xli.; Humphreys, *The Virginia Campaign of '64 and '65*, pp. 343-362; *Battles and Leaders*, vol. iv., p. 711 et seq.;

the main line. Fearing that the Confederates might desert their lines during the night and by falling upon Sheridan before aid could reach him drive him from his position and open the way for the retreat of Lee's army, Grant sent Miles' division of Humphreys' corps westward on the White Oak Road to help Sheridan. Lee,

Powell, *The Fifth Army Corps*; Sheridan, *Personal Memoirs*, vol. ii.; Warren, *Account of the Fifth Army Corps at the Battle of Five Forks*; Asa Bird Gardiner, *The Battles of Gravelly Run, Dinwiddie Court House, and Five Forks, etc.*, (1881).

* Humphreys, *The Virginia Campaign of '64 and '65*, p. 362.

however, was thinking of nothing of the kind, for the terrible blow to the right wing of his army seems to have stunned him.

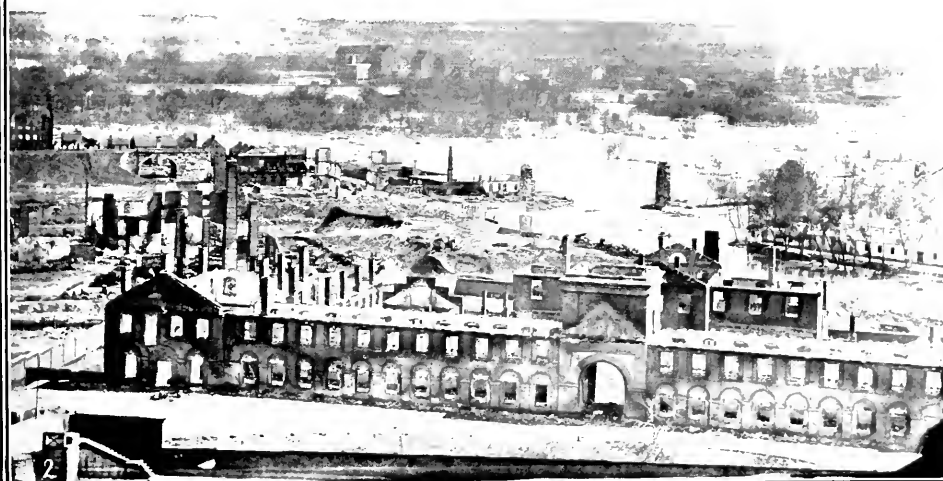
Throughout the night of April 1-2 a general bombardment of the Confederate lines was kept up and at 4 A. M. on the morning of April 2 the corps of Ord, Humphreys, Wright and Parke (in all about 63,000 men) assaulted the lines before which they had been held for ten months, and which were now defended by less than 20,000 men. On many parts of the line there was a desperate resistance and in 15 minutes after the onset began Wright had lost 1,100 men. Some of Wright's men, however, in the ardor of the assault, pushed across the Boydton road as far as the South Side Railroad, and it was in this vicinity that the Confederate general, A. P. Hill, was surprised and shot dead on his refusal to surrender.*

A portion of Wright's troops worked resolutely to the right, meeting stubborn resistance from Wilcox's force. A large part of Wright's soldiers moved down the reverse of the captured lines to Hatcher's Run, where about 7 o'clock, having captured a large number of men and guns, they met the 24th corps and, facing about, marched over ground clear of the enemy till the left closed in on the Appomattox River. Parke captured the outer intrenchments with compar-

ative ease, but an interior line was held by General Gordon, who not only repulsed Parke but himself assumed the offensive and assaulted several times during the day, though without success. On the left Humphreys with Hays' division attacked the Confederate redoubt at Crow's House and captured the works, guns and most of the garrison. On Humphreys' left Mott's division drove the Confederates out of their works at Burgess' Mill. Mott and Hays were ordered toward Petersburg and Miles, who had been holding the White Oak Road for Sheridan, was left alone to oppose Heth's division at Sutherland's Station. Miles was twice repulsed, but about 3 o'clock dislodged Heth and drove him toward Appomattox and Amelia Court House.* On the main line of the Confederate intrenchments west of Petersburg were two strong, inclosed works—Forts Gregg and Whitworth. Robert S. Foster's and J. W. Turner's divisions of Gibbon's corps assaulted Fort Gregg and after a desperate resistance, in which the defenders put twice their own numbers *hors du combat*, captured it. Gibbon lost 714 killed and wounded, whereas only 55 Confederate dead were found in the work. Turner's men then attacked and captured Fort Whitworth, whereupon the Confederates from the Appomattox to the Weldon road fell slowly back to the

* James P. Matthews, *How General A. P. Hill Met His Fate*, in *Southern Historical Society Papers*, vol. xxvii., pp. 26-38.

* Hazard Stevens, *The Storming of the Lines of Petersburg by the Sixth Corps, April 2, 1865* (1904).



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1. NEGRO REFUGEES WITH THEIR HOUSEHOLD GOODS ON THE CANAL AT RICHMOND, FLEEING AFTER NEWS HAD REACHED THE CITY THAT LEE HAD BEEN COMPELLED TO ABANDON HIS LINES AT PETERSBURG.
2. RUINS OF THE STATE ARSENAL AT RICHMOND, BEYOND WHICH ARE SEEN THE PILLARS OF THE PETERSBURG AND RICHMOND RAILROAD BRIDGE ACROSS THE JAMES RIVER.

inner lines near Petersburg, now garrisoned by Longstreet's corps which had come in from the north side of the James.

Lee was stunned by the success of the Union attack. Early on the morning of April 2 he sent a message of despair to the Confederate authorities and then bent all his energies to saving his army and leading it out of its untenable position on the James to some point from which he could join Johnston in North Carolina. The place selected was Burkesville at the crossing of the South Side and Danville roads, 50 miles from Richmond. At 3 o'clock the order for retreat was issued. By nightfall Lee's preparations were completed and, riding out of town, he dismounted at Amelia Court House, the point of assemblage of his various columns and where he had directed supplies to be sent, and watched his troops file noiselessly by in the darkness. Grant had ordered a general assault for the morning of the 3d but it was discovered that Lee had abandoned all his works, so Meade was immediately directed to go up the Appomattox by the river road and Sheridan was ordered, with Humphreys and Griffin and all the cavalry, to push with all speed to the Danville road. The town was formally surrendered at 4:30 and General Wilcox's division of the 9th corps was soon in possession.*

There seemed to be little apprehension in Richmond of the impending disaster.* On the morning of April 2, while attending the usual Sunday service at St. Paul's Episcopal Church, Davis was apprised of the gravity of the situation and leaving his pew soon learned the contents of Lee's dispatch giving the account of his disaster and advising that Richmond be evacuated.† The news spread rapidly and from the Sabbath stillness of the morning the streets became alive with bustle and anxiety. Davis called his Cabinet together and the Confederate archives were hastily packed for shipment. By evening the city was in great confusion, especially at the railroad depots. The cars were overcrowded long before the clamoring multitude and piles of miscellaneous baggage could be taken aboard. The State legislature and the governor departed in a canal boat toward Lynchburg. All available vehicles that could carry fugitives left the city by various roads, but the great mass of the population had to confront the Union army. The military authorities blew up the vessels under construction, the arsenal was fired, and as many thousands of loaded shells were stored there, the result was a continuous roar of exploding ammunition. The Confederate congress had passed a law ordering the govern-

The Virginia Campaign of '64 and '65, pp. 371-372.

* Rhodes, *United States*, vol. v., p. 115 *et seq.*

* I. C. Emery, *The Fall of Richmond*, in *National Magazine*, vol. vii., pp. 483-494; *Battles and Leaders*, vol. iv., pp. 725-728; Humphreys,

† Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 199-201.

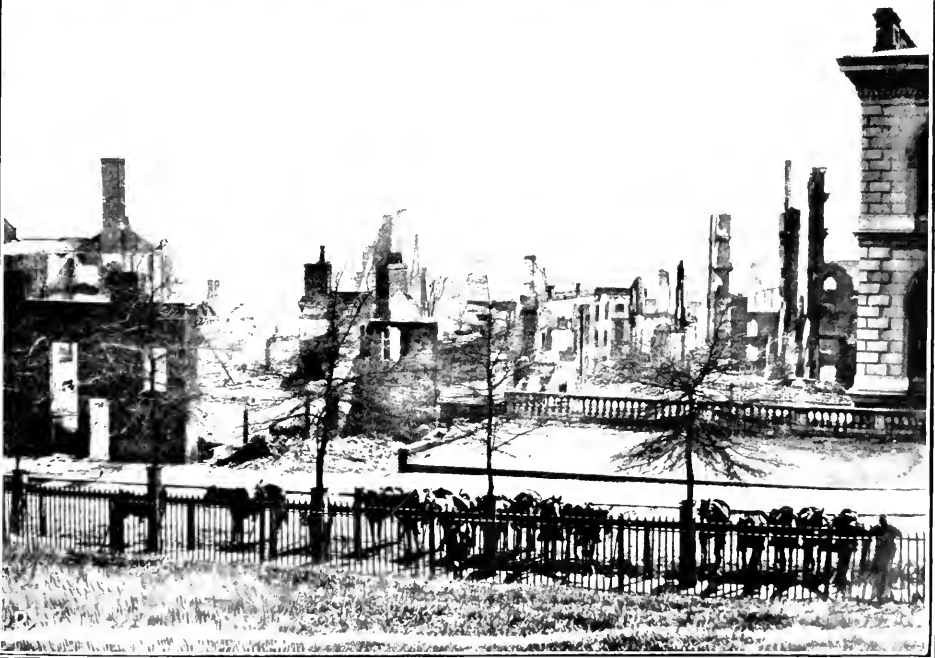
ment tobacco and other public property to be burned, and under a previous order of Lee* Ewell, in command of the troops at Richmond, directed that all private tobacco in the city be burned and that all stores which could not be removed be destroyed. It is probable that the fires lighted in pursuance of these orders communicated to shops and houses. It is certain that the spirit of lawlessness and hunger for pillage had gained full headway, for the civil authorities in an attempt to aid the evacuation had ordained that all the liquor in the city should be emptied out. This was done as far as possible, but enough was surreptitiously consumed to produce a frightful state of excitement and drunkenness. To make matters worse, the convicts from the penitentiary overcame the guard, set fire to the prison and roamed the city, gorging themselves with their ill-gotten plunder. By daylight of the 3d, however, the riot had been subdued and by 7 o'clock the evacuation was completed. Before the Union troops arrived several hundred buildings comprising the entire business portion of the city, warehouses, manufactories, mills, depots, and stores had been burned to the ground. About 7 o'clock the mayor and a citizens' committee went out to meet General Weitzel to make an informal surrender. Weitzel then sent a small detachment ahead

to prepare the road for the entry of the main Union army. There was little time for holiday enjoyment, for the conflagration was still roaring and confusion reigned. The officers immediately organized fire brigades to subdue the fire, took measures to repress the unrestrained mob of whites and blacks and reestablished order and security.*

The next day President Lincoln visited Richmond in a careless manner and in utter disregard of Stanton's warning. The party landed near Libby Prison, but not a single person was there to meet or escort the President to his destination; accordingly Lincoln was compelled to walk about a mile and a half through the streets accompanied by Admiral Porter and three other officers with a guard of only 10 sailors armed with carbines. He met with no molestation nor indignity and soon reached the house which Davis had occupied as a residence but which General Weitzel had seized as his headquarters. While there Lincoln had an interview with Judge John A. Campbell, the Confederate Assistant Secretary of War, at which peace terms were discussed. Lincoln gave Judge Campbell a written memorandum embracing an outline of the terms he had previously given to the commissioners at the Hampton Roads Conference on February 3, 1865. These terms were as follows:

* *Official Records*, vol. xlv., pt. ii., pp. 1260-1261.

* Pollard, *The Lost Cause*, p. 693 *et seq.*



Upper photo taken from the original Brady negative. Lower photo taken from the *Photographic History of the Civil War*. Copy-right by the Patriot Publishing Company.

1. THE RUINS OF RICHMOND AFTER ITS OCCUPATION BY THE UNION ARMY, AS SEEN FROM THE ARSENAL.
2. VIEW OF THE STILL SMOKING RUINS OF RICHMOND, SHOWING SOME OF THE HORSES OF THE UNION CAVALRY WHICH HAD JUST RIDDEN INTO THE CITY.

"As to peace I have said before, and now repeat, that three things are indispensable:

"1. The restoration of the national authority throughout all the States.

"2. No receding by the Executive of the United States on the slavery question, from the position assumed thereon in the late annual message to Congress and in preceding documents.

"3. No cessation of hostilities short of an end of the war and the disbanding of all forces hostile to the government.

"That all propositions coming from those now in hostility to the government and not inconsistent with the foregoing will be respectfully considered and passed upon in a spirit of sincere liberality. I now add that it seems useless for me to be more specific with those who will not say they are ready for the indispensable terms even on conditions to be named by themselves. If there be any who are ready for these indispensable terms, on any conditions whatever, let them say so, and state their conditions, so that the conditions can be known and considered. It is further added that the remission of confiscation being within the Executive power, if the war be now further persisted in by those opposing the government, the making of confiscated property at the least to bear the additional cost will be insisted on, but that confiscations (except in case of third power intervening interests), will be remitted to the people of any State which shall now promptly and in good faith withdraw its troops from further resistance to the government. What is now said as to the remission of confiscation has no reference to supposed property in slaves."*

The only practical suggestion made at the conference was summarized by General Weitzel as follows: "Mr. Campbell and the other gentlemen assured Mr. Lincoln that if he would allow the Virginia legislature to meet it would at once repeal the ordinance of secession and that then General Robert E. Lee and every other Virginian would submit; that this would amount to the virtual destruction of

the Army of Northern Virginia and eventually to the surrender of all the other rebel armies, and would insure perfect peace in the shortest possible time." Before action could be taken by that body, however, General Lee had surrendered the Army of Northern Virginia.*

Without tarrying for a visit to Richmond after the Confederates had evacuated it, Grant kept up his hot pursuit of Lee. Sheridan, his cavalry, and the 5th corps pushed on April 3 for the Danville Railroad, keeping south of the Appomattox and followed by the 2d and 6th corps in the direction of Amelia Court House, while General Ord with the 24th corps and a division of the 25th moved along the South Side Railroad for Burkesville. On April 4 Sheridan struck the Danville road near Jetersville and learned that Lee was at Amelia Court House, 8 miles northeast. He immediately intrenched the 5th corps and awaited the arrival of General Meade with the 2d and 6th corps. Meade found the road so obstructed by Sheridan's cavalry that he did not come up until the afternoon of April 5 and Ord did not reach Burkesville until the evening of the same day. The latter had been directed by Grant to cut the bridges in Lee's front to intercept his movements toward Danville and Lynchburg and to await orders at Burkesville. To cut the high bridge four miles east of Farmville,

* The manuscript in the Library of Congress differs slightly from the quotation in Nicolay and Hay, *Life of Lincoln*, vol. x., p. 221.

* Nicolay and Hay, *Life of Lincoln*, vol. x., p. 222 *et seq.*

Ord before daybreak of the 6th sent two small infantry regiments (the 54th Pennsylvania and 123d Ohio) and 80 officers and men of the 4th Massachusetts cavalry, all under command of Colonel Francis Washburne, with orders to push rapidly for the bridge and burn it. After Washburne had gone Ord sent General Theodore Read, his chief of staff, with a small party to overtake him and to reconnoiter well before moving up to the bridge. After Read had gone Ord received a dispatch from Sheridan that Lee was moving west of Jetersville and apparently making for Burkesville, whereupon he put his command in position to meet Lee and sent an officer to caution Read that Lee's army was in his rear and that he must return by pressing on, crossing the Appomattox and going around by Prince Edward Court House. This officer was driven back by Lee's cavalry. Read overtook Washburne, took the cavalry into Farmville, examined the country, returned to the infantry, and, pushing on, was within two miles of Highbridge when about noon he ran into Rosser's and Munford's division of Confederate cavalry which constituted Lee's advance. Read and Washburne drew up the little band of cavalry and 500 infantry and began one of the most gallant fights of the Civil War. Again and again they led the cavalry in successive thrilling charges, until both fell mortally wounded; at last, as not an officer of the cavalry remained

alive or unwounded to lead the men, the entire command surrendered.

At 6 A. M. on April 6 the 2d, 5th, and 6th corps moved from Jetersville up the line of the Danville road toward Amelia Court House where it was hoped to intercept Lee, but during the night Lee had moved west; when this was discovered the advance on Amelia Court House was suspended and the three corps marched westward in an endeavor to head him off or compel him to fight. The 2d corps came up to Gordon's corps at Flat Rock and for a time was checked, but after fording the creek the troops drove Gordon off and followed him to Sailor's Creek where he made a stand. Here an important battle took place with fatal results to Lee's fast vanishing army. Gordon lost 13 colors, 3 guns, several hundred prisoners and more than 200 wagons. During the day the 2d corps had taken about 1,700 prisoners, 4 guns, and more than 300 wagons and ambulances with a loss to itself of about 400 men.*

While the 2d corps was thus engaged the 6th corps on its left with the cavalry divisions of Crook and Merritt had overtaken the commands of Ewell and Anderson on Sailor's Creek, routed them with a severe loss in killed and wounded and took many thousands prisoners, among them six general officers including Ewell, Kershaw and G. W. C. Lee. The Con-

* Humphreys, *The Virginia Campaign of '64 and '65*, pp. 380-381.

As to peace, I have said before, and now repeat, that three things are indispensable,

1. The restoration of the national authority, throughout all the States.
2. No receding by the Executive of the United States on the slavery question, from the position assumed thereon, in the late Annual Message to Congress, and in preceding documents.
3. No cessation of hostilities short of an end of the war, and the disbanding of all forces hostile to the government.

That all propositions coming from those now in hostility to the government, and not inconsistent with the foregoing, will be respectfully considered, and passed upon in a spirit of sincere liberality.

I now add that it seems useless for me to be more specific with those who will not say they are ready for the indispensable terms, even on conditions to be

federates continued their retreat. Longstreet with the divisions of Field, Heth and Wilcox marched to Farmville, crossed to the north side of the Appomattox, and on the morning of the 7th began to move out on the road passing through Appomattox Court House to Lynchburg. Fitzhugh Lee with all his cavalry followed Longstreet and General Gordon with the other half of Lee's army crossed at Highbridge. On the morning of the 7th the Union army continued the pursuit, the cavalry, with the exception of one division and the 5th corps, moving by Prince Edward Court House; Ord with his command, the 6th corps, and Crook's cavalry advancing on Farmville, and the 2d corps by the Highbridge road. With great difficulty Crook's cavalry waded the river above Farmville and Gregg's brigade in moving out was furiously assaulted by Fitzhugh Lee and driven back across the river, Gregg and many of his men being captured.

Meanwhile Ord and the 6th corps had come up to find the bridges destroyed, the water too deep for fording, and Lee's army in plain view on the opposite bank drawn up for battle. The 2d corps pursuing Gordon came to Highbridge just as Gordon's corps and Mahone's division had crossed and set fire to it and the wagon-road bridge just below it. Barlow, whose division was in advance, threw forward his head of column which seized the wagon-road bridge, extinguished the fire and

moved across, Mahone's division after some sharp skirmishing retiring toward the northwest while Gordon moved along the railroad toward Farmville. Barlow followed Gordon, while Humphreys led Miles' and De Trobriand's divisions after Mahone, and at 1 p. m. came up to Lee's army in an intrenched position, its left four miles from Farmville at the crest of a long slope of open ground covering the roads to Lynchburg. An unsuccessful attempt was made to take the position in flank. Barlow was sent over but did not get up until sunset. Meanwhile Miles saw an opening and with part of a brigade made an attack, but was repulsed with considerable loss. Barlow, who had followed Gordon, attacked him and succeeded in cutting off a large train of wagons which he destroyed and then rejoined his corps that had bivouaced within 100 yards of Lee's position.* The loss of the corps dur-

* Mr. Swinton, in speaking of this retreat and pursuit, says: "It would need other colors in which truly to paint that terrible race for life; and one would have to seek its like in what befell upon the snowy wastes of Muscovy in the winter of 1812. The confederates began the retreat with but one ration, and when no supplies were met at Amelia Court House, they were reduced to such scant store as could be collected from the poor and almost exhausted region through which they passed. * * * The misery of the famished troops during the 4th, 5th, 6th and 7th of April, passes all experience of military anguish since the retreat from the banks of the Beresina. 'Towards evening of the 5th,' says an eye witness, 'and all day long upon the 6th, hundreds of men dropped from exhaustion, and thousands let fall their muskets from inability to carry them any further. The scenes of the 5th, 6th, 7th and 8th, were of a nature which can be apprehended in its vivid

ing the day was 571 and it had captured 19 guns and many wagons, and had held Lee from continuing his retreat until Sheridan and Ord could cut off his line of escape.*

Lee's optimism regarding ultimate success was not shared by his generals. On the 7th several of his subordinates made known to him their belief that further resistance was useless and advised surrender, but Lee thought he had too many men to think of laying down his arms.† Grant did not wish to drive Lee to extremes and at 5 p. m. on April 7 addressed to him the following note:

"The result of the last week must convince you of the hopelessness of further resistance on the part of the Army of Northern Virginia in this struggle. I feel that it is so, and regard it as my duty to shift from myself the responsibility of any further effusion of blood, by asking of you the surrender of that portion of the Confederate States army known as the Army of Northern Virginia."‡

This was sent through the lines of the 2d corps at 8:30 p. m., and within an hour Lee replied as follows:

"I have received your note of this date. Though not entertaining the opinion you express on the hopelessness of further resistance on the part of the Army of Northern Virginia, I reciprocate your desire to avoid useless effusion of blood, and therefore, before considering your proposition, ask the terms you will offer on condition of its surrender."§

reality only by men who are thoroughly familiar with the harrowing details of war."—*Army of the Potomac*, p. 613.

* H. H. Humphreys, *Major-General A. A. Humphreys' United States Volunteers at Fredericksburg, Va., December 13, 1862, and Farmville, Va., April 7, 1865* (1896).

† Nicolay and Hay, *Life of Lincoln*, vol. x., pp. 189-190.

‡ Grant, *Personal Memoirs*, vol. ii., p. 478-479.

§ *Ibid.*, p. 479.

To this Grant replied early on the morning of the 8th as follows:

"Your note of last evening, in reply to mine of same date, asking the condition on which I will accept the surrender of the Army of Northern Virginia is just received. In reply I would say that peace being my great desire, there is but one condition that I would insist upon, namely, that the men and officers surrendered shall be disqualified for taking up arms again against the government of the United States until properly exchanged. I will meet you or will designate officers to meet any officers you may name for the same purpose, at any point agreeable to you for the purpose of arranging definitely the terms upon which the surrender of the Army of Northern Virginia will be received."*

Before Lee's note was received by Grant, however, Lee had continued his retreat on a desperate chance of finding food at Appomattox and a way of escape to Lynchburg. Gordon led the retreat and Longstreet brought up the rear. The 2d and 6th Union corps followed Longstreet closely, and Sheridan with his cavalry, followed by the 5th corps and Ord's command, marched on the south side of the Appomattox, captured at Appomattox four trains of cars loaded with supplies for Lee's army, 25 guns and a large park of wagons, and drove Lee's advance forces back to Appomattox Court House.† On the morning of April 9 Sheridan advanced, but his cavalry was being pushed back just as Ord, who had marched all night, had formed in his rear and the Army of Northern Virginia had made its

* Humphreys, *The Virginia Campaign of '64 and '65*, p. 439. See also Pollard, *The Lost Cause*, pp. 707-710; *Confederate Military History*, vol. iii., pp. 548-551.

† *Official Records*, vol. xlv., pt. i., p. 55 *et seq.*



Upper photo taken from the *Photographic History of the Civil War*. Copyright by the Patriot Publishing Company. Lower photo from the original Brady negative.

1. UNION MUSKETS STACKED NEAR THE RAILROAD STATION ON APRIL 3, 1865. EFFECTS OF THE BOMBARDMENT ARE PLAINLY VISIBLE.
2. THE WILMER McLEAN HOUSE AT APPOMATTOX, IN THE PARLOR OF WHICH GENERAL LEE SURRENDERED ON APRIL 9, 1865.

last effort. In order to learn whether or not his situation was hopeless, Lee sent an aide to Gordon who dispatched this reply: "Tell General Lee I have fought my corps to a frazzle and I fear I can do nothing unless I am heavily supported by Longstreet's corps." Longstreet, however, was then being closely pressed by Meade and was not available for an attack in front. The Army of Northern Virginia was hemmed in on all sides. Sheridan and Ord were in its front and the 2d and 6th corps were close upon its rear, and Lee had no alternative but surrender. After receiving Gordon's message Lee was convinced of his precarious situation and said: "Then there is nothing left me but to go and see General Grant and I would rather die a thousand deaths."* Accordingly he ordered a white flag to be displayed, requested a suspension of hostilities and asked an interview with Grant. The two generals met at the house of Wilmer McLean in the little village of Appomattox Court House. General Lee was accompanied only by his secretary, Colonel Charles Marshall, while Grant had with him several of the leading officers of the Union army. After a short and pleasant conversation about old army times, Grant wrote out the following terms of surrender:

"In accordance with the substance of my letter to you of the 8th instant, I propose to receive the surrender of the Army of Northern Virginia

on the following terms, to wit: Rolls of all the officers and men to be made in duplicate, one copy to be given to an officer to be designated by me, the other to be retained by such officer or officers as you may designate. The officers to give their individual paroles not to take up arms against the Government of the United States until properly exchanged; and each company and regimental commander sign a like parole for the men of their commands. The arms, artillery and public property to be parked and stacked and turned over to the officers appointed by me to receive them. This will not embrace the side-arms of the officers nor their private horses or baggage. This done, each officer and man will be allowed to return to their homes, not to be disturbed by United States authority so long as they observe their paroles and the laws in force where they may reside."*

Lee then suggested and gained another important concession — that those of the cavalry and artillery who owned their own horses should be allowed to take them home to gather their crops. After this concession had been granted Lee wrote a brief reply accepting the terms.† The number of men surrendered was 26,765.‡ The Confederates had been living for the last few days principally on parched corn and were badly in need of food. Grant supplied them with subsistence and forage. Lee then rode back sorrowfully to his soldiers and in a broken voice said to them: "We have fought through the war together. I have done the best I could for you. My heart is too full to say

* Grant, *Personal Memoirs*, vol. ii., p. 496; Humphreys, *The Virginia Campaign of '64 and '65*, p. 440; Nicolay and Hay, *Life of Lincoln*, vol. x., p. 195; Rhodes, *United States*, vol. v., pp. 126-127.

† *Official Records*, vol. xlv., pt. iii., p. 66.

‡ Livermore, *Numbers and Losses*, p. 137. Nicolay and Hay (vol. x., p. 197) give the number of paroles signed as 28,231. Phisterer (*Statistical Record*, p. 219) gives the total as 26,000.

* Long, *Life of Lee*, p. 421.

more.* On the next day he issued a farewell address to the Army of Northern Virginia and rode away to Richmond.† Three days after the surrender the troops marched by divisions to a designated spot near Appomattox Court House and there stacked their arms and deposited their accoutrements. Hardly 8,000 presented themselves with muskets in their hands. Paroles were then distributed and they were allowed to go their way and seek again for a home.‡

Meanwhile General James H. Wilson had departed on his raid to overrun the South and destroy its railways and manufacturing centres. Early in March of 1865 27,000 men had been gathered and organized, nearly all of whom were mounted and finely equipped. Some of this force was detached for other duties. Wilson, who had been encamped along the north bank of the Tennessee River from Gravelly Springs to Waterloo Landing, crossed the river on March 18 and four days later started from Chickasaw and Waterloo for a march through northern Alabama, his first objective point being Selma. He had three divisions aggregating 12,500 mounted men with 24 guns under Gen-

erals Emory Upton, Eli Long, and E. M. McCook. He had also 1,500 dismounted men who were to act as train guards until enough horses were captured to mount them. As the country near the Tennessee was nearly destitute of forage, it was necessary to scatter the troops over a wide extent and march as rapidly as circumstances would permit. This was rendered safe by the fact that General Forrest's Confederate forces were at the time much scattered, some near West Point, Mississippi, 150 miles southwest of Eastport, while Roddey's forces occupied Montevallo on the Alabama and Tennessee Railroad, nearly the same distance to the southeast. By starting on divergent roads the Union forces deceived the Confederates as to the real object and compelled them to watch Columbia, Tuscaloosa, and Selma.

The command moved southward in three columns, and on March 26 reunited at Jasper, about 80 miles southeast of Tusculumbia, then pushing on toward Montevallo. General Croxton's brigade was detached toward Tuscaloosa to burn bridges, factories, and public stores and rejoin the command in the vicinity of Selma. Near Elyton, iron works and rolling mills were destroyed, and on March 31, after passing Montevallo, Upton encountered Roddey who disputed the road to Randolph. After two brisk engagements in which Roddey lost 100 men he was driven back and was pursued by Upton who occupied Randolph at

* Cooke, *Life of Lee*, p. 463.

† *Official Records*, vol. xlvii., pt. i., 1267; Polard, *The Lost Cause*, p. 711.

‡ *Battles and Leaders*, vol. iv., pp. 729-753; *Official Records*, vol. xlvii.; Powell, *History of Fifth Army Corps*; Walker, *History of the Second Army Corps*; Humphreys, *The Virginia Campaign of '64 and '65*; Grant, *Personal Memoirs*, vol. ii.; Sheridan, *Personal Memoirs*, vol. ii. See also the various biographies of Grant, Lee, Sheridan and other generals engaged.

dark. Here a courier was captured with dispatches to Forrest saying that reinforcements were moving to join Forrest for the defence of Alabama. Leaving McCook at Randolph to guard the train and rear, Wilson with the divisions of Long and Upton on April 1 started for Selma, defeated several detachments of Forrest's cavalry and at Ebenezer Church came upon Forrest in position with the brigades of Roddey, Crossland and D. Adams, about 1,500 men in all, covering the two roads from Randolph by which Wilson had marched. The Union troops attacked and carried Forrest's position in less than an hour and drove the Confederates toward Selma in great disorder despite Forrest's efforts to rally them. At night the whole command bivouaced near Plantersville, 19 miles from Selma, after having captured 3 guns and over 200 prisoners. Early in the day McCook with Colonel LaGrange's brigade had been ordered to march to Centreville, 40 miles distant, to hold the bridge over the Cahaba and to fall upon Jackson's Confederate division which lay between the main body and Croxton.

At daylight on April 2 Wilson resumed his march and by 4 o'clock in the afternoon the troops were in position in front of Selma. The city had been strongly fortified. The works which had a radius of three miles contained 24 bastions and a number of strong redans with deep ditches and an interior line of four detached forts.

Both flanks rested on the Alabama River above and below the city. The fortifications mounted 32 guns and were held by Forrest with about 4,000 veteran cavalry and some 2,000 Alabama militia, mostly old men and young boys. It had been planned that at a given signal Long's division was to lead in the assault supported by Upton, but before the signal had been given Long had become engaged and, without waiting, ordered a charge. In the gathering darkness his men went forward under a severe fire of artillery and musketry, scaled the works, and after a hand to hand encounter drove the Confederates from them and took many prisoners. Some of Upton's men joined in the fight, the whole Union force engaged numbering 1,550. Generals Forrest, Armstrong, Roddey and Adams escaped with a number of men under cover of darkness, but a portion of Upton's division pursued on the Burnsville road until long after midnight, capturing four guns and many prisoners. Wilson's loss was 44 killed, 277 wounded and 7 missing. Forrest's loss in killed and wounded was less, but the Union forces captured 2,700 prisoners, many colors, nearly 2,000 horses, 104 field and siege guns and an immense quantity of ammunition. Wilson then destroyed the arsenal, a number of buildings filled with machinery and munitions, powder works, 3 gun foundries, 3 rolling mills, and several machine shops.*

* *Battles and Leaders*, vol. iv., pp. 759-761; Cox, *The March to the Sea*, pp. 203-209.

Preparations were then made to march on Montgomery. On the 12th this city was surrendered by the mayor, the Confederate general Adams having retreated after burning 90,000 bales of cotton. The Union troops captured and destroyed five guns, a large quantity of stores, small arms and cotton and five steamboats loaded with military supplies. On the 14th the command moved to secure the crossings of the Chattahoochee at Columbus on the direct road to Macon and West Point, further up the river. On the afternoon of the 10th Upton's division in advance on the Columbus road struck Buford's cavalry pickets and drove them through Girard to the lower bridge over the Chattahoochee. Before it could be seized the bridge had been fired by the Confederates and it was therefore decided to make a night attack upon the central bridge, one of the three that crossed the river at this point, 300 men of the 3d Iowa cavalry being selected for the attack. At 9 p. m. the troops opened a rattling fire which was replied to by a storm of canister from 27 guns. Nevertheless, the Iowans went over the works at many points and all rushed for the bridge. At the same time the Confederates tried to escape by the bridge which then became so crowded with the men of both forces that the Confederates holding the works at the east end of the bridge and commanding it with two guns were afraid to fire lest they kill their own men. The Union forces made

a rush upon these works, gained possession, and thus captured Columbus. Wilson's loss was 6 killed and 14 wounded and he captured 1,200 prisoners, nearly half of the militia that had defended the place under command of Generals Howell Cobb and Robert Toombs. A great quantity of war material was then destroyed including 63 guns, the ram *Jackson*, 125,000 bales of cotton, 15 locomotives, 250 cars, a navy yard and armory, two rolling mills, powder works and an arsenal with a great quantity of machinery, two iron works, three foundries and ten mills and factories.

On the same day LaGrange's brigade captured West Point. LaGrange had been detached at Tuskegee and, marching northeast, after some sharp skirmishing, appeared before West Point about 10 a. m. of the 16th to find that the bridge spanning the river was defended by an earthwork mounting three guns and held by General R. C. Tyler with about 265 men. After a hard fight the fort was taken, General Tyler and 18 of his men were killed, 28 were wounded and 218 captured, with a loss to LaGrange of 7 killed and 29 wounded. Besides prisoners, LaGrange captured 3 guns, 500 stand of small arms, 19 engines and 245 cars loaded with army supplies. After destroying the bridges, railway equipment and stores, LaGrange moved toward Macon. With the main column Wilson also marched for the same place on the 18th and when nearing the city on the 20th was met by a

communication from General Beauregard with information of a truce between Generals Johnston and Sherman. Before this communication reached Wilson the advance had pushed into Macon and received the surrender of Generals G. W. Smith and Howell Cobb and other prominent citizens, and these with the garrison were held as prisoners of war. Wilson then heard of the surrender of Lee and on April 21 received a dispatch from Sherman directing him to suspend hostilities until notified of the result of the negotiations then pending between Sherman and Johnston. The surrender of Macon included 4 generals, 3,500 men, 5 colors, 60 guns, a number of small arms, and great quantities of military supplies.

Croton, who had been detached from McCook's division at Elyton on March 27, rejoined the corps at Macon on May 1. He had captured Tuscaloosa and advanced as far as Bridgeville, then returned to Tuscaloosa and Jasper whence his line of march was 100 miles north of that pursued by Wilson. On the way through Alabama he had a sharp engagement at Blue Mountain near Talladega. He had marched 653 miles, destroyed 51 iron works, three factories, numerous mills and immense quantities of supplies, and captured four guns, several hundred small arms and nearly 300 prisoners with a loss to himself of 172 officers and men. The closing act of Wilson's campaign was the capture of Jefferson Davis by regiments of his

command, which will be spoken of later. In his campaign Wilson had marched 525 miles, captured 5 fortified cities, 288 guns, 6,820 prisoners and 23 colors. He subsequently paroled 59,000 officers and men of the armies of Lee, Johnston and Beauregard. His own loss was 99 killed, 598 wounded and 28 missing.*

Meanwhile Sherman had started after Johnston. He still thought that there was much hard and desperate fighting before him, even though he was sure that Johnston's army was afraid of him.† Even on April 6 he did not realize the full extent of Grant's triumph when Lee fled toward Danville, and believed that Lee "would succeed in making junction with General Johnston with at least a fraction of his army."‡ In order to prevent the junction Sherman decided to strike Johnston, then at Smithfield, half way to Raleigh. On the morning of April 10 he began the march and reached Smithfield the next day only to find that Johnston had retired to Raleigh, burning the bridges behind him. While these were being repaired, Sherman received the information of Lee's surrender.

Relieved of the apprehension of a junction of the Confederate armies Sherman now had no fear save that

* *Official Records*, vol. xlix.; *Battles and Leaders*, vol. iv.; Cox, *The March to the Sea*, pp. 203-210; Piatt, *Life of General George H. Thomas*; Boynton, *General George H. Thomas at Nashville*.

† Sherman, *Memoirs*, vol. ii., p. 316.

‡ *Ibid.*, vol. ii., p. 343.

Johnston's force would break up into guerilla bands. On the morning of April 13 Sherman's army entered Raleigh to find that Johnston had retreated westward.* Sherman then turned his heads of column in the direction of Salisbury and Charlotte, hoping to cut off Johnston. He made no haste, as he believed Johnston superior in cavalry and wanted Sheridan with him before pushing the Confederates to extremities. The next day, however, Johnston sent a flag of truce to Sherman requesting a temporary suspension of operations with a view to entering into the needful arrangements to terminate the existing war.†

Sherman at once signified his willingness to confer with Johnston.‡ He requested Johnston to stay in his present position pending negotiations. Johnston, however, had already marched toward Greensborough and did not receive Sherman's reply until the 16th when he was within a few miles of that place. He hurried thither to submit the letter to Davis but found that he had started for Charlotte and therefore Johnston arranged a meeting for noon the next day, April 17. Just as Sherman was leaving Raleigh to keep this appointment he received word of Lincoln's assassination, but fearing the effect on his army he ordered the telegraph operator to with-

hold the news until he returned in the evening. On meeting Johnston, Sherman showed him the dispatch and thus describes the effect:

"The perspiration came out in large drops on his forehead and he did not attempt to conceal his distress. He denounced the act as a disgrace to the age and hoped I did not charge it to the Confederate government. I told him I could not believe that he or General Lee or the officers of the Confederate army could possibly be privy to acts of assassination but I would not say as much for Jeff Davis, George Sanders and men of that stripe. * * * I explained to him that I had not yet revealed the news to my own personal staff or to the army and that I dreaded the effect when made known in Raleigh. * * * I feared * * * that a fate worse than that of Columbia would befall the place."*

The question at hand was discussed and Johnston suggested that they arrange terms of a permanent peace. By sunset a substantial agreement on most of the details involved had been reached and the two parted to meet the next day, April 18. The Confederate Secretary of War, Breckinridge, was then allowed to take part in the discussion and after some conversation an agreement which had been drawn up by the Confederate General Reagan was submitted to Sherman and declared inadmissible.† Sherman himself then wrote out a memorandum of agreement, which was acceptable to Johnston.‡ It was held at Wash-

* Sherman, *Memoirs*, vol. ii., p. 349; Johnston, *Narrative*, p. 402; *Official Records*, vol. xlvii., pt. iii., pp. 245, 287.

† *Official Records*, vol. xlvii., pt. iii., p. 806.

‡ Sherman, *Memoirs*, vol. ii., pp. 356-357; *Official Records*, vol. xlvii., pt. iii., p. 243; Nicolay and Hay, vol. x., pp. 246-248; Jacob D. Cox, *The Sherman-Johnston Convention*, in *Scribner's Magazine*, vol. xxviii., pp. 489-505 (1900); Joseph

* *Official Records*, p. 191.

† Johnston, *Narrative of Military Operations*, p. 406; *Official Records*, vol. xlvii., pt. iii., p. 206.

‡ Sherman, *Memoirs*, vol. ii., p. 347.

ington that Sherman had transcended his powers and on April 21 the agreement was disapproved by Andrew Johnson, who on the assassination of Lincoln had become President. In defending this agreement Sherman said:

"There has been at no time any trouble about Joe Johnston's army. It fell and became powerless when Lee was defeated, but its dispersion when the country was already full of Lee's men would have made North Carolina a pandemonium. I desired to avoid that condition of things. The South is broken and ruined and appeals to our pity. To ride the people down with persecutions and military exactions would be like slashing away at the crew of a sinking ship. I will fight as long as the enemy shows fight, but when he gives up and asks quarter I cannot go further. This state of things appeals to our better nature."^{*}

Stanton ordered Grant to give Sherman notice of the disapproval and to direct him to resume hostilities at once. Lincoln's instructions of March 3 were repeated to Sherman as his rule of action and Grant was ordered to proceed to Sherman's headquarters and to direct operations against the enemy.[†] Grant arrived at Sherman's headquarters at Raleigh on April 24 and gave him notice of the President's disapproval. Sherman immediately announced the fact to Johnston, demanded his surrender on the terms given to Lee, and gave notice that the truce between them would terminate in 48 hours.[‡] Almost at the same time Johnston had received Davis' ap-

proval of the convention with Sherman and had already distributed a considerable sum of money among his troops to aid them to reach their homes. Several thousand had already departed and when notice came that hostilities were to be resumed he was in no position to stand another conflict. Accordingly, with a high sense of his duty to his soldiers and to the Southern people he surrendered his army to Sherman on April 26 on the same terms granted to Lee at Appomattox.* Sherman then paroled the Southern troops and they started on their march homeward.

Johnston's capitulation virtually brought the war to an end. After his flight from Richmond Davis proceeded to Danville where he arrived on April 2. In spite of the precarious situation of Lee's army, Davis still hoped to inspire confidence in the Confederate cause and on April 5 issued a proclamation in which, among many other things, he said:

"We have now entered upon a new phase of the struggle. Relieved from the necessity of guarding particular points, our army will be free to move from point to point to strike the enemy in detail far from his base. *Let us but will it and we are free.* Animated by that confidence in spirit and fortitude which never yet failed me, I announce to you, fellow countrymen, that it is my purpose to maintain your cause with my whole heart and soul; that I will never consent to abandon to the enemy one foot of the soil of any one of the states of the confederacy, that Virginia—noble state—whose ancient renown has been eclipsed by her still more glorious recent history; whose bosom has been bared to receive the main shock of this war; whose sons and daughters have exhibited heroism so sublime

E. Johnston, *My Negotiations with General Sherman* (1886); *Battles and Leaders*, vol. iv., pp. 754-758; Pollard, *The Lost Cause*, p. 716.

* *Official Records*, vol. xlvii., pt. iii., p. 345.

† Sherman, *Memoirs*, vol. ii., p. 360; *Official Records*, vol. xlvii., pt. iii., p. 263.

‡ *Official Records*, p. 293.

* *Official Records*.

as to render her illustrious in all time to come; that Virginia, with the help of the people and by the blessing of Providence, shall be held and defended, and no peace ever be made with the infamous invaders of her territory. If, by the stress of numbers, we should ever be compelled to a temporary withdrawal from her limits, or those of any other border state, again and again will we return, until the baffled and exhausted enemy shall abandon in despair his endless and impossible task of making slaves of a people resolved to be free." *

Certainly this language was oversanguinary in the light of the events of the next few days. Hardly was the ink dry on the proclamation when Davis received information of Lee's surrender to Grant and that the Federal cavalry was hastening in his direction. Accordingly he moved to Greensborough, North Carolina, where he conferred with Johnston regarding the latter's surrender and on the 14th left that place with some of the Confederate officials on the journey southward, reaching Charlotte on April 18. After the news that Lincoln had been assassinated and the disavowal of the Sherman-Johnston compact by President Johnson, Davis once more took up his southward flight, on the road being deserted on various pretexts by the members of the Cabinet except Reagan. After passing Washington, Georgia, reports of pursuit by cavalry increased and it was rumored also that some disbanded Confederate soldiers intended to blow up the train under the misapprehension that it contained all the Confederate government's treasure. On May

9 the party which had now been joined by Mrs. Davis and her family encamped in Irwinville, Georgia. It was decided to proceed to the east coast of Florida and thence by water to the Texas coast. Davis and a few companions were to push on ahead the next day. Before Davis could start, however, a troop of Federal cavalry suddenly swooped down upon the camp and captured the whole party.* After the capture Davis was taken to Fortress Monroe where he was closely confined until May of 1867 when he was released on a bond for \$100,000 signed by a number of prominent men both North and South.

On May 4 General Richard Taylor surrendered to Canby at Citronville all that remained of the Confederate forces east of the Mississippi, which numbered in all about 42,000 men. With slight changes of detail the terms agreed upon were those accorded by Grant to Lee. At the same time and place the Confederate Commodore Ebenezer Farrand surrendered to Rear Admiral Henry K. Thatcher all the Confederate naval forces in the neighborhood of Mobile. E. Kirby Smith, who had under his command all the Confederate troops west of the Mississippi, still continued in a threatening attitude and Sheridan was sent from Washington to bring him to reason. After a skir-

* Regarding the story of Davis' attempted flight see Rhodes, *United States*, vol. v., p. 182 *et seq.*; Nicolay and Hay, *Life of Lincoln*, vol. x., p. 270 *et seq.*; James H. Wilson, *Under the Old Flag* (1912).

* Davis, *Rise and Fall of the Confederate Government*, p. 677.

mish near Brazos, Smith followed the example of Taylor and on May 26 surrendered his entire force of about 18,000 men to General Canby on the same terms accorded to Taylor.*

Thus the war ended and all armed resistance to the United States ceased. The reduction of the army and of war expenses began immediately. Of the more than 1,000,000 in the ranks on May 1, 1865, more than 800,000 had been mustered out by the following November. The reduction of expenses was likewise remarkable. For the year ending June 30, 1865, the army cost over \$1,000,000,000 which expense two years later, when the peace establishment had been reduced to 54,000, had been cut down to \$100,000,000. The cost of the war has been estimated at from \$2,250,000,000 to \$8,000,000,000. Nicolay and Hay give the purely war expense at about \$3,250,000,000 and the Confederate expense at about \$1,500,000,000. Lincoln's plan of emancipated compensation would have been cheap compared with this, for \$3,000,000,000 would have been a generous compensation for the 4,000,000 negroes in slavery when the war began. Besides this there was the enormous waste of life incurred by the war which amounted to 286,484 killed, wounded and missing, besides 625,599 discharged for disability and other causes or who

deserted, making a total loss during the war of 912,083.*

One of the most bitter controversies arising out of the war relates to the treatment of captives in Northern and Southern prisons, and it is most difficult to obtain and present an accurate and wholly impartial account, for evidence can be adduced condemning and praising both sides. Until the capture of Fort Donelson the Confederates held the greater number of prisoners, but after that event the balance fell to the side of the North. There is a wide discrepancy in the figures of prisoners and deaths in prison, some stating that "in spite of the clamor made about the sufferings of Northern prisoners, more Southern men died in Northern prisons than Northern men died in Southern prisons."† Tyler, Jefferson Davis,‡ Alexander H. Stephens,§ and others cite a part of Stanton's report of July 19, 1866 (which was based on that of the commissary-general of prisoners§) and add to it a statement supposed to have been made by Surgeon-General Barnes (of which there is no official record¶), thus making it appear that the mortality was greater in the North than in the

* Phisterer, *Statistical Record*, p. 67. For different figures see Rhodes, *United States*, vol. v., pp. 186-187; *Photographic History of the Civil War*, vol. x., p. 148.

† Lyon G. Tyler, in *The South in the Building of the Nation*, vol. iv., p. 523.

‡ *Rise and Fall of the Confederate Government*, vol. ii., p. 607.

§ *War Between the States*, vol. ii., p. 508.

¶ *Official Records*, ser. ii., vol. viii., pp. 946-948.

¶ Rhodes, *United States*, vol. v., p. 507.

* *Confederate Military History*, vol. x., pt. ii., pp. 282-283.

South. Barnes is quoted as stating that there were 220,000 Confederate and 270,000 Union prisoners of war. Stanton states that there were 220,000 Confederate prisoners, of whom 26,436 (or 12 per cent.) died, while there were only 126,950 Union prisoners, of whom 22,576 (or about 18 per cent.) died. General F. C. Ainsworth, chief of the Record and Pension Office, is quoted as saying that from the best records obtainable 211,411 Union soldiers were captured, of whom 16,668 were paroled on the field and 30,218 died in captivity; and that 462,634 Confederate soldiers were captured, 247,769 were paroled on the field, and 25,976 died in prison.* Thus the mortality was about 15.5 per cent. in the South and only a little over 12 per cent. in the North. Taking into consideration the better hospitals, the greater number of skilled physicians, and the more abundant medical supplies in the North, the disparity should have been more pronounced in her favor.

Exchanges would have been made earlier in the war had it not been that the North did not wish to recognize the Confederate government by so doing. Finally, however, on July 22, 1862, a cartel was arranged by Generals Dix and D. H. Hill, under which, with only brief interruptions, exchanges went on until late in Decem-

ber. Stanton then refused longer to exchange commissioned officers,* because of Davis' proclamation of December 3, 1862, declaring General Butler a "felon deserving of capital punishment" for having executed Mumford at New Orleans† and ordering that no commissioned officer be paroled until Butler had expiated his "crimes."‡ Nevertheless, special exchanges continued to be made until prohibited by General Halleck on May 25, 1863.

Thus, in 1863 and later, a large number of prisoners were held by each side. The Confederate prisoners were confined at Camp Douglas, Chicago, Camp Butler, Springfield, Illinois, Camp Morton, Indianapolis, Camp Chase, Columbus, Johnson's Island, Ohio, and at St. Louis, Missouri, Elmira, New York, Rock Island and Alton, Illinois, Point Lookout, Maryland, and Fort Delaware, Delaware. As a rule these prisons were filthy, vermin abounded, bathing facilities scarcely existed, drainage was bad, the ventilation was defective, the water supply was often short, and the policing was imperfect. But the prisoners usually had plenty of food; they were housed in barracks, except at Point Lookout, where tents were provided; clothing and blankets were furnished them; and the barracks were heated

* Rhodes, pp. 507-508. See also *Photographic History of the Civil War*, vol. vii., p. 50. Under date of March 9, 1911, General Ainsworth says he has no information justifying a change in these figures.

* *Official Records*, ser. ii., vol. v., p. 128. The text of the articles is in Pollard, *The Lost Cause*, pp. 618-620. See also Schouler, *United States*, vol. vi., p. 408 *et seq.*

† See vol. viii., p. 160 of this History. See also Pollard, *The Lost Cause*, p. 257 *et seq.*

‡ *Official Records*, vol. xv., p. 906.

by stoves. Prisoners with money were permitted to buy food and clothing, and friends or relatives, under certain restrictions, were allowed to send such articles.

In 1863 the majority of the Union prisoners in Confederate hands were confined at Richmond (Libby Prison being devoted to officers) and at Belle Isle, an island in the James River. The Richmond prisons were well supplied with water, and at Libby there were bath rooms, though there was a shortage of soap; at Belle Isle tents constituted the only shelter (and there was an insufficiency of these) and filth, vermin, and generally unsanitary conditions prevailed.

Both sides early in the war began to complain of the treatment of prisoners. It was reported in the North that Union prisoners exchanged arrived "in a state of extreme destitution, with little or no clothing, and that covered with filth and vermin. They are often physically emaciated and suffering from hunger and disease."* On the other hand, Robert Ould, the Confederate exchange agent, wrote to the Union exchange officer: "You yourself see the living wrecks which come from Fort Delaware — men who went into that cruel keep hale and robust, men inured to almost every form of hardship and proof against everything except the regimen of that horrible prison."† Most of the reports rendered by those high in authority or by investigating com-

mittees were partisan documents, a study of which shows how utterly futile is any attempt to judge accurately of the treatment accorded prisoners. There was no intention on the part of either government, or of the officials connected with them, to maltreat prisoners, and most of the shameful conditions were due to poor management, which was almost as bad at the North as at the South.

The Confederates early realized that they could not house and feed all their prisoners at Richmond, and from time to time some were sent to places farther south, one of which was near Andersonville, Sumter County, Georgia, 62 miles southwest of Macon. A stockade 15 feet high was built enclosing 16½ acres of land, which area, in June of 1864, was enlarged to 26½ acres, though three acres near the centre were too marshy to be used. In February of 1864 the prisoners began to arrive; by May they numbered about 12,000, and by August 32,911.* No shelter had been provided for the expected inmates, nor when they began to arrive had an adequate supply of bacon been sent for their use. The first arrivals used the débris from the stockades to erect rude shelters, but the later arrivals burrowed into the ground or protected themselves as best they could with blankets or pieces of cloth. Through the enclosure ran a small stream which, it was supposed, would furnish water for drinking and bathing, but,

* *Official Records*, ser. ii., vol. v., p. 323.

† *Ibid.*, vol. vi., p. 113.

* *Official Records*, ser. ii., vol. vii., p. 593.

unfortunately and inconsiderately, the camp-ovens were placed on the creek above the stockade and the water became polluted before it reached the camp. The sinks were constructed over the lower part of the stream, but the current was not swift enough to carry away the ordure, and when owing to storms, the waters overflowed the banks of the stream, the fetid matter was distributed over a wide area, causing the soil to breathe loathsome pestilence.

At times the food supply ran short. On July 25, 1864, General John H. Winder, the commandant, telegraphed to Adjutant-General Cooper: "There are 29,400 prisoners, 2,650 troops, 500 negroes and other laborers and not a ration at the post."* Even when there were sufficient food supplies, cooking utensils and facilities for distribution were lacking. Henry Wirz, the superintendent of the prison, reported that 8,000 men must be deprived of their rations of "rice, beans, vinegar, and molasses" because buckets were lacking.† Want of food, exposure by day to the torrid sun and by night to dews and at all times to rain, the breathing of polluted air, the wearing of dirty, lice-infected clothing, combined with weakness caused by wounds, made the prisoners an easy prey to diarrhœa, dysentery, scurvy and gangrene; and, as the hospital facilities were utterly inade-

quate, it is not surprising that "since the establishment of this prison on the 24th of February, 1864, over 10,000 Federal prisoners have died, that is, near one-third of the entire number has perished in less than seven months."* The meagre ration of unbolted corn meal, with a little bacon, such as only the soap-maker finds fit for use, could hardly be expected to support life under such conditions,† and Wirz pleaded that the meal be bolted, for the bread which it made ("fully of one-sixth of husk") was unfit for use and tended to increase "dysentery and other bowel complaints."‡ After an inspection of the prison, Colonel D. T. Chandler reported on August 5, 1864, to the Confederate authorities that "only the strongest can get access to the doctors, the weaker ones being unable to force their way through the press. * * * Many — twenty yesterday — are carted out daily who have died from unknown causes and whom the medical officers have never seen. The dead are hauled out daily by the wagon load and buried without coffins. * * * The sanitary condition of the prisoners is as wretched as can be. * * * The arrangements for cooking and baking have been wholly inadequate. Raw rations have to be issued to a very large proportion. * * * The rate of deaths has steadily increased from 37.4 per 1,000

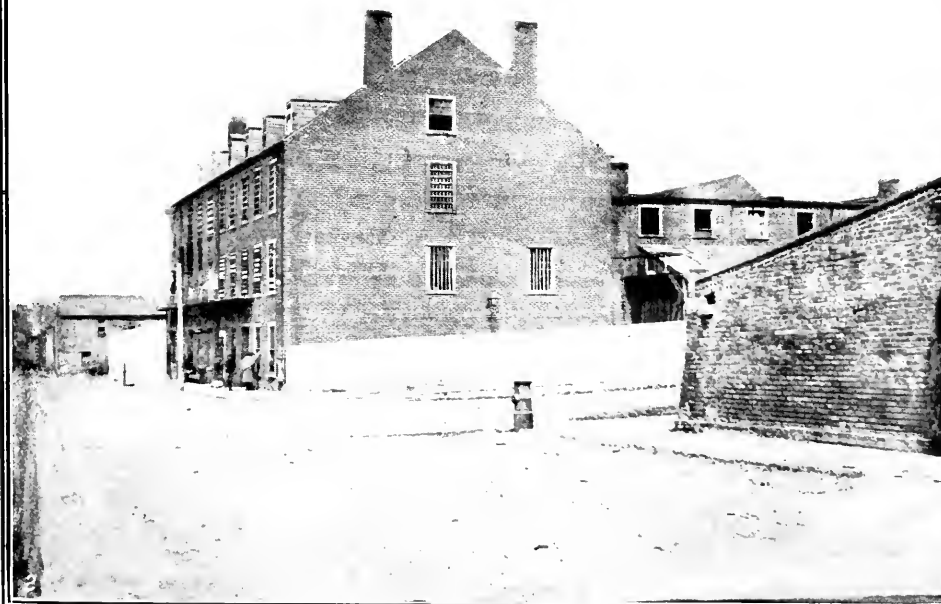
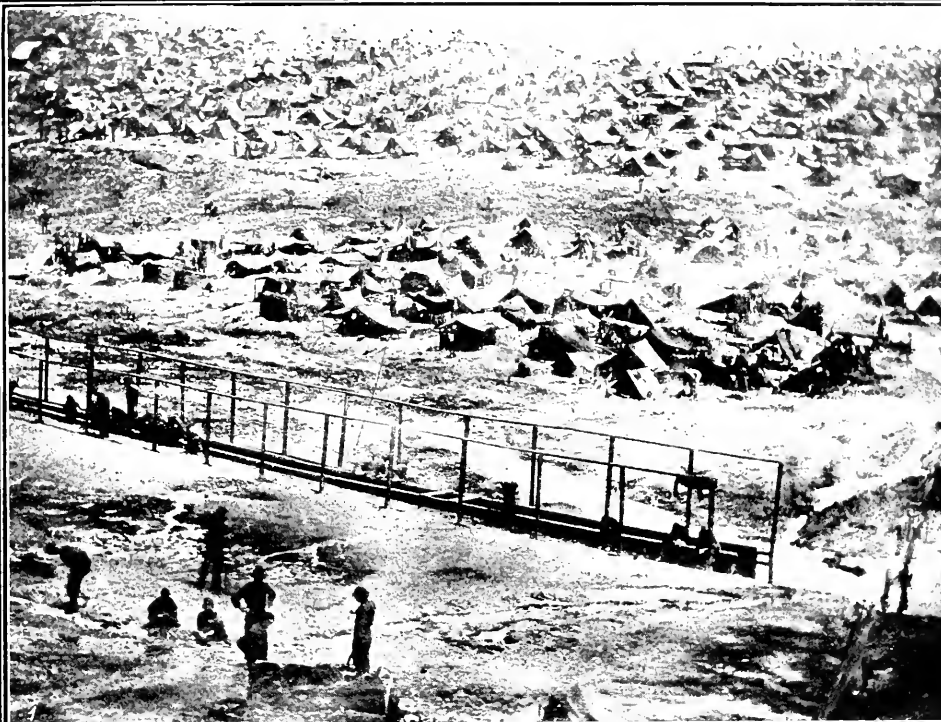
* *Official Records*, p. 499.

† *Ibid.* p. 207. Wirz was afterward tried and condemned to death by a military commission at Washington and was hanged on November 10, 1865.

* *Official Records*, p. 1012. Letter of the Confederate surgeon, Joseph Jones, October 19, 1864.

† Schouler, *United States*, vol. vi., p. 413.

‡ *Official Records*, ser. ii., vol. vii., p. 207.



Upper photo from the original Brady negative. Lower photo taken from the *Photographic History of the Civil War*. Copyright by the Patriot Publishing Company.

1. ANDERSONVILLE PRISON, SHOWING THE DEAD LINE ON THE LEFT.
2. CASTLE THUNDER, RICHMOND, THE CHIEF PROVOST PRISON IN THE SOUTH.

during the month of March last to 62.7 per 1,000 in July.'*

Some time previously the Confederate government had authorized the establishment of a new prison near Millen, Georgia, but, owing to financial conditions, the work progressed slowly and the new prison was not ready for occupancy until October. In the meantime Sherman's capture of Atlanta compelled the abandonment of Andersonville, and those prisoners well enough to be moved were sent to Charleston and Savannah. These cities were not in a position to care for so many, and those at Charleston were sent to Florence, South Carolina, and those at Savannah to Millen. Sherman's march to the sea, however, necessitated the removal of those at Millen and they went back to Andersonville, but the prison had been so much improved during the interim that the previous misery was not repeated. The prisoners at Florence and at Salisbury, North Carolina, experienced similar treatment, chiefly because the commandants lacked the means to alleviate the sufferings of those committed to their care.

Undoubtedly much of the responsibility for this waste of life lies with the Northern authorities, for in 1862 the Confederacy was willing to continue the exchanges under the cartel, in 1864 was eager to make exchanges in the interest of humanity, and on August 10, 1864, proposed a man to

man exchange, accompanying this proposition with a statement of the mortality at Andersonville.* But Grant refused to consider this on the following grounds:

"It is hard on our men held in Southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. Every man we hold, when released on parole or otherwise, becomes an active soldier against us at once either directly or indirectly. If we commence a system of exchange which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught, they amount to no more than dead men. At this particular time to release all rebel prisoners north would insure Sherman's defeat and would compromise our safety here."†

On October 1 Lee proposed an exchange of prisoners man for man, but Grant refused because Lee would not deliver the colored troops "the same as white soldiers."‡ On January 24, 1865, however, the Confederate government reiterated the offer and Grant then accepted it.¶ Thus, if the North had disregarded the negro question in the exchange of prisoners there might never have been so many prisoners at Andersonville and the awful loss of life would not have occurred.

This, however, does not excuse or exonerate the Confederacy for neglecting to shelter the prisoners at Andersonville. The Confederate authorities claimed that the prisoners at Andersonville were of such bad character that they could not be released on parole to construct huts or dwell-

* *Official Records*, pp. 546-551. For contrary statements see *Papers of the Southern Historical Society*, vol. i., p. 198 *et seq.*

* *Official Records*, ser. ii., vol. vii., pp. 578-705.

† *Ibid.* p. 607.

‡ *Ibid.* pp. 906, 909, 914.

¶ *Ibid.* vol. viii., pp. 122, 170, 182.

ings for themselves; but though this charge may apply to many, it was not true of all, and the fact that many did escape was not due entirely to bad character but to inadequate police regulations and to the natural human desire to escape from the prison horrors—many risking death at the hands of the guards rather than stay to die by degrees. As a matter of fact the better element among the prisoners combined to stamp out evil practices. In the Chandler report previously mentioned we find the following:

"Numbers of the prisoners have been found murdered by their comrades, and in their desperate efforts to provide for their own safety, a court, organized among themselves, by authority of General Winder, granted on their own application, has tried a large number of their fellow prisoners and sentenced six, to be hung, which sentence was duly executed by themselves within the stockade with the sanction of the post-commander."

Moreover, this does not absolve the Confederate authorities for their failure to provide proper foods and medicines. Undoubtedly the Confederacy, toward the end of the war, was in no position to send full rations for each prisoner—certainly, had they been able to do this, Lee's troops would not have been in a half-starved condition most of the time; but when it was perceived that the prisoners could not be fed nor properly cared for they should have adopted the plan proposed by several of paroling the prisoners under a solemn oath and sending them north, where they could at least have received nourishing food, clean raiment, and medicines. This

plan was urged by Stephens* and by Howell Cobb,† but Secretary Seddon evidently expressed the general sentiment when he said:

"It [the matter of parole] presents a great embarrassment, but I see no remedy which is not worse than the evil. For the present we must hope the enemy will be constrained to relinquish their inhuman policy of refusing exchange. We are not responsible for the miserable sufferings of the captives and cannot afford to release them to replenish Yankee armies and supply Yankee laborers."‡

The whole size of the matter is that there was gross mismanagement at the prisons and some negligence in Richmond, which, combined with the Northern refusal to exchange, produced the frightful mortality.

The North, however, is not free from blame for its treatment of prisoners, since, even before news of conditions at Andersonville had reached that section of the country, the War Department (on April 20, 1864) reduced the rations of the Confederate prisoners by about 20 per cent. and in the following June all but the sick were deprived of coffee, tea, and sugar. In August, also, all supplies by gift or purchase were cut off. This was in retaliation for the alleged inhuman treatment of Union prisoners. There was more sickness, especially scurvy, than there should have been, and in some Northern prisons during 1864 the food was insufficient and the prisoners suffered much from hunger. Hence, all things considered, the

* *War Between the States*, vol. ii., p. 516.

† *Official Records*, ser. ii., vol. vii., p. 796; see also other letters on p. 855, and vol. viii., p. 96.

‡ *Ibid.*, vol. vii., p. 856.

North has not much with which to reproach the South, for on the one side were immense resources and the refusal to exchange prisoners, and on

the other commercial, financial, and industrial distress and an eagerness to make exchanges.*

CHAPTER XLVIII.

1865.

THE ASSASSINATION OF LINCOLN.

Apprehensions of an attack on Lincoln — His visit to Ford's theatre and assassination by Booth — His death — The assault on Seward — The accession of Vice-President Johnson — The funeral services — The fate of the conspirators.

Naturally, after the surrender of Lee's army, there was much rejoicing throughout the land. During the night of the 9th and day and evening of the 10th the people of the North rejoiced as they never did before. Business was suspended, the courts adjourned, the streets of the cities and towns were filled with men who laughed, cheered, shouted themselves hoarse and embraced each other in the exuberance of gladness. But the joy of the nation was soon turned into profound sorrow, for on April 14 President Lincoln was laid low by the hand of an assassin. Several times Lincoln had been warned of threats and dangers from various quarters* and had been entreated to be more careful and watchful in respect to personal exposure, but he uniformly treated all apprehensions of the kind as unfounded and seems never to have feared personal injury. He had passed unscathed through the four years of the war, and now that there

appeared no reason for an assault upon his life and nothing to be gained

* On Andersonville and the treatment of prisoners in general see *House Report* 45, 40th Congress, 3d session; *Ex. Doc.* 23, 40th Congress, 2d session; John McElroy, *Andersonville* (1879); Davis, *Rise and Fall of the Confederate Government*, vol. ii., pp. 584-608; *Papers of the Southern History Association*, vol. i., pp. 113-327; vol. xxx., pp. 77-104; R. R. Stevenson, *The Southern Side of Andersonville* (1876); Haley, *The True Story of Andersonville Prison; Confederate Military History*, vol. xii., p. 147; Rhodes, *United States*, vol. v., pp. 483-509; Pollard, *The Lost Cause*, chap. xxxviii.; Avary, *Recollections of Alexander H. Stephens*, p. 233 *et seq.*; Norton P. Chipman, *The Tragedy of Andersonville: Trial of Captain Henry Wirz, The Prison Keeper* (1911); James M. Page, *The True Story of Andersonville. A Defense of Major Henry Wirz* (1908); Lessel Long, *Twelve Months in Andersonville Prison* (1886); C. M. Smith, *From Andersonville to Freedom* (1894); Narrative of A. E. Stearns, *Member Co. A., 25th Regt. Mass. Vols., a Prisoner at Andersonville* (1887); S. S. Williams, *From Spottsylvania to Wilmington, N. C., by Way of Andersonville and Florence* (1899); George Haven Putnam, *Prisoners of War: a Soldier's Narrative of Life at Libby and Danville* (1911); A. S. Roe, *In a Rebel Prison; or Experiences in Danville, Va.* (1891). *The Photographic History of the Civil War*, vol. vii., pp. 11-168 (the Review of Reviews Company), besides giving a detailed description of the prisons and the treatment of prisoners, gives numerous photographs of prisons both North and South.

* Raymond, *Life of Abraham Lincoln*, p. 693.

by such a course, he regarded the anxieties of his friends and supporters as utterly unwarranted.

After his brief visit to Richmond Lincoln went back to Washington, his return having been hastened by a serious accident to Mr. Seward, who was thrown from his carriage and so seriously injured that he was unable to attend to business of any kind. On Friday, April 14, Lincoln held his last Cabinet meeting. Matters of routine were disposed of and the subject of reconstruction was discussed. Lincoln hoped that there would be no persecution and no bloody work after the war was over, stating that no one need expect him to take any part in hanging or killing even the worst of the Confederates, as enough lives had already been sacrificed. He appeared to be very happy at the approach of firm and lasting peace at home and abroad.* He had a long chat with his son, Robert, and then took a drive with his wife. He had consented to visit Ford's theatre in Tenth Street, Washington, that evening, to witness a performance of *Our American Cousin*, and at about 8 o'clock, in company with Mrs. Lincoln, Miss Harris and Major Rathbone, took his place in a box near the stage. The house was crowded and the box in which the President sat was decorated with an American flag draped in front. On his appearance in the box the band struck up *Hail to the Chief*, and the

audience rose, cheering wildly. After the President had bowed an acknowledgment of this greeting, the play continued.

The door of Lincoln's box was not more than five feet distant from the stage and was left open during the evening. A few minutes after 10 o'clock John Wilkes Booth, an actor, showed a card to the servant sitting outside the President's box, was allowed to pass, entered the box stealthily, closed and fastened the door and, putting a pistol to Lincoln's head, fired the fatal bullet. Dropping the pistol he struck with a double-edged dagger at Rathbone, who was endeavoring to seize him, severely wounding him. Booth then leaped over the railing to the stage, but his spur caught in the flag draped in front of the box, causing him to fall. Though his leg was broken by the fall he rose immediately and, turning to the audience, brandishing his knife and shouting *Sic semper tyrannis*, made his exit by a door in the rear of the house. There he mounted a fleet horse and rode across the Potomac.

The President scarcely moved after being shot. His head dropped slightly forward and his eyes closed. Medical aid was immediately summoned, but the wounded President was never conscious after the assassin's bullet struck him. The audience, after one awful moment of stunned inaction, broke up in wild resentment and inexpressible horror. Lincoln was taken to a house opposite the theatre and, surrounded by the various

* Nicolay and Hay, *Life of Lincoln*, vol. x., p. 281 *et seq.*; Rhodes, *United States*, vol. v., pp. 137-138. Both base their story on the account of Welles in *The Galaxy* for April, 1872.

officers of the Government, was watched in agonized vigil throughout the long, terrible hours. He mercifully lay in a state of coma all night and at 22 minutes past 7 o'clock on the morning of April 15 peacefully breathed his last, when the bitter weeping of his wife and the stricken group of statesmen was assuaged by the solemn and fitting words of Secretary Stanton, "Now he belongs to the ages," and by the tender, heart-broken prayer of Dr. Gurley, Lincoln's pastor.

Almost simultaneously with the assault on Lincoln another actor, Lewis Payne, attempted to assassinate Seward as he lay confined to his bed. Under pretense of bringing medicine from the physician, Payne gained admittance to the house and by asserting that he had verbal directions to give the patient, gained the upper hall. There he was met by Seward's son, Frederick, who forbade him to enter the room. Payne then turned as if to leave, but suddenly swerved back, fired at Frederick, missed him and then knocked him insensible. An invalid soldier acting as nurse opened the door of the sick chamber to ascertain the trouble and he, too, was knocked down and severely wounded by Payne. The latter then rushed to the bed of Secretary Seward, slashed his right cheek and stabbed him twice in the throat. The nurse grappled with Payne while Augustus Seward, another son, came to his assistance, but Payne finally escaped from the

house, mounted his horse and rode leisurely away.*

The news of these tragedies carried consternation and terror to every heart and they were instinctively felt to be the work of a conspiracy.† Troops were ordered out and guards were posted at the public buildings, and the residences of the Cabinet officials, Chief Justice and Senator Sumner. Grief gave way to bitter indignation and many believed that the conspiracy had been concocted by the Confederate authorities as a desperate expedient for averting their doom. This led to a clamor for vengeance and a demand that the leaders of the rebellion be hanged.‡ Immediately after Lincoln's death all the members of the Cabinet, save Seward, certified to Johnson the death of the President. At 10 o'clock that morning, April 15, Chief Justice Chase, Secretary McCulloch, Attorney-General Speed and several others went to Johnson's residence and there the oath of office was administered to him by the Chief Justice.

On Wednesday, April 19, the simple and solemn funeral service over the body of Lincoln was held in the White House. The body was then taken to the rotunda of the Capitol, where it lay in state for two days. It was decided to bury him at Springfield and

* For details of the assassination and the assault on Seward see Nicolay and Hay, vol. x., pp. 277-306; Frederick Seward, *Life of Seward*, vol. iii., p. 276 *et seq.*

† Raymond, *Life of Lincoln*, p. 700.

‡ Rhodes, *United States*, vol. v., pp. 147-148.

that the funeral train should make several stops on the way. At Philadelphia the body lay in state in Independence Hall, and similar honors were paid at New York and Chicago. The burial took place at Springfield, Illinois, on May 4. By request of the State Department funeral services were held in the different places of worship throughout the country on the day of the obsequies in Washington.

Soon after Booth rode away from the theatre he was joined by a fellow conspirator, named Herold. They quickly passed into Maryland, stopped at a tavern owned by Mrs. Surratt, 10 miles from the city, got some whiskey, arms and other things, and then pushed southward. Had Booth been in good health he might have remained at large for some time, but his broken leg gave him acute pain, especially since he was compelled constantly to be on the move. As a reward of \$100,000 had been offered for Booth's apprehension, the country was soon being scoured by pursuing parties and the river patrolled by gunboats. Every wood path was hunted by detectives and at each move the chances of discovery increased. After several days of wandering the two fugitives crossed into Virginia and finally took refuge in a barn on a farm belonging to a man named Garrett on the road to Bowling Green, beyond the Rappahannock. A party of soldiers soon traced him there and their commander called upon Booth to surrender. Herold surrendered, but

Booth refused to come out. The barn was then fired and Booth was shot without orders by one of the soldiers, dying soon afterward. Seward's assailant meanwhile had escaped, but in the scuffle at Seward's house he lost his hat, and fearing that the lack of a hat would expose him to suspicion, he took to the woods east of Washington. He was finally driven by hunger to return to the city, where he was soon captured by the soldiers and met the fate of the other conspirators. All those implicated in the conspiracy were soon seized as accomplices and were tried by a military commission, which sat from May 13 to June 30. Herold, Payne, Mrs. Surratt and Atzerodt were hanged, three others were sentenced to life imprisonment, and the scene-shifter at the theatre who had assisted Booth in making his escape was sentenced to six years. John H. Surratt escaped to Canada, hid there for some months, later sailed for England, wandered over Europe, was finally arrested in Egypt and in 1867 brought back to Washington. His trial lasted two months and ended in a disagreement of the jury.*

* Nicolay and Hay, *Life of Lincoln*, vol. x., chapter xv.; Rhodes, *United States*, vol. v., pp. 155-158 and the authorities there cited; B. P. Poore, *The Conspiracy Trial for the Murder of President Lincoln*. See also the biographies of Lincoln by Henry J. Raymond, Ida M. Tarbell, O. J. Victor, W. O. Stoddard, George H. Putnam, Ward H. Lamon, I. N. Arnold, L. P. Brockett, W. E. Curtis, R. W. Gilder, J. H. Barrett, Noah Brooks, Frank B. Carpenter, Chafin, Choate, Crosby, C. W. French, Norman Hapgood, W. H. Herndon, J. G. Holland, Leland, J. T. Morse, Jr., Alonzo Rothschild, Carl Schurz.

CHAPTER XLIX.

1861-1865.

SOCIAL CONDITIONS AND MOVEMENTS DURING THE WAR.

Effect on the North of the repudiation of Southern debts — Household economies — Revival of business in the North after 1862 — Failures — Condition of the banks — Progress of insurance — Foreign trade — Decline of the merchant marine — Opinions as to sectionalism of prosperity — Growth of agriculture — New agricultural inventions — Westward emigration and the growth of Western States and cities — Influence of the Homestead Act — The influence of the wheat crop on the outcome of the war — Mining and minerals — Condition in mining camps — Manufactures — Government manufactories — Corruption — Bounty-jumpers — Commercial intercourse between the North and the South — Illicit cotton transactions — Condition of the laboring classes — Labor organizations — Building operations — Public improvements — Education — Amusements and sports — The United State Sanitary Commission — The Christian Commission — Other charities — Crime — Hard times in the South — High prices of commodities — Crop shortages — Speculation and extortion — Bread riots — Manufactures — Dividends — Increase of salaries — Social life — Starvation Clubs — Vice and crime — Attempts to suppress gambling houses — Charities — Religion in the armies — Education — Conditions after the war.

Social life at the North had changed but little during the war. Commerce and industry went on, interest in educational matters scarcely diminished (though the attendance at college decreased greatly), churches contained their usual congregations, and theatres and other places of amusement were liberally patronized. War and politics were not the only topics that held the attention of the people during this period. Socially and industrially the North was more active and prosperous than ever before, and save for a short period of depression in the East in the early part of the war, practically all branches of commercial life flourished. Besides, there was considerable progress in public improvements, and the people contributed generously toward educational, religious, and charitable enterprises.

The war, of course, was the chief disturbing element, and the apprehensions of the people as to its outcome evoked a spirit of economy in all classes so that the sales of the retail stores fell off and manufacturers curtailed the scale of their operations. On March 23, 1861, the *New York Tribune* observed:

"Never before, perhaps, in the history of this country, has such a feeling of uncertainty, of alternate hope and fear, prevailed in the business community. The elements of great commercial prosperity exist in such palpable form that the mere novice in business matters may place his fingers on the points; and yet, with all this mine of wealth, to the man of trade plainly in sight, not one—not even the sagacious and enterprising—dares to take a step towards securing a share of it. The importer, looking simply to the wants of the country, to the ordinary laws of supply and demand, sees a harvest of profits in the future, if those laws are allowed to rule, but hesitates when the cry of disunion and civil war threatens him with rude interference. The manufacturer, with the assurance of a home trade and a remunerative business, even under the old tariff, if the country can be pacified, and a still better

prospect under the new, feels inclined to put every loom in motion and to tax his every ingenuity in pattern and fabric, but halts and hesitates as the din of revolution meets his ears. Thus, in every branch of business the story is the same, and the disposition is to move onward with the flow of the tide, but it is checked and chilled by vague apprehensions, which find no relief as yet. * * * It would be a relief to know what is in store for us, that business men may shape their operations accordingly."

Conditions gradually grew worse instead of better, which, in part, was due to the enormous losses sustained by Northern merchants and manufacturers when their Southern custom was cut off by the war and the blockade. On August 5, 1862, the *New York Tribune* refers to "our paralyzed industry, obstructed commerce, our overloaded finances, and our mangled railroads." The same paper on September 18 complained of the havoc wrought by the South's practical repudiation of commercial debts due the North:—

"New York was largely a creditor of the South, and rebellion was held by her debtors throughout the seceded states as a receipt in full for the amount of their obligations. Not that a part of them have not professed and perhaps cherished a vague intent to pay some time or other, but there was no solace in this for the present sufferings of our prostrated merchants. Not less than \$200,000,000 of Southern indebtedness to our city was blotted out as in a night. * * * Trade, of course, for a season sank to zero." *

* Others place this sum as high as \$40,000,000. Professor J. C. Schwab (*The Confederate States of America: Financial and Industrial History*, p. 111) says that the most careful estimate is that of the *United States Economist*, which placed the total at \$40,000,000. See also Emerson D. Fite, *Social and Industrial Conditions in the North During the Civil War*, p. 108 (copyright, 1910, by The Macmillan Co.). Much of the information in this chapter regarding conditions in the North has been taken from Professor Fite's work.

In his annual message of December 3, 1861, President Lincoln said:

"There are no courts nor officers to whom the citizens of other States may apply for the enforcement of their lawful claims against citizens of the insurgent States, and there is a vast amount of debt constituting such claims. Some have estimated it as high as \$200,000,000, due in large part from insurgents in open rebellion to loyal citizens who are even now making great sacrifices in the discharge of their patriotic duty to support the Government." *

On May 27, 1862, the *Tribune* declared that "the fabric of New York's mercantile prosperity lies in ruins, beneath which ten thousand fortunes are buried. * * * Last fall the merchant was a capitalist; to-day he is a bankrupt." Schuckers says:

"Many persons of large wealth, in apprehension of war, had, even before the breaking out of hostilities, transferred their property to foreign countries. The object is obvious enough: it was to escape not only the pressure of the war taxes, but also to preserve their opulence, should the result of the war prove unfavorable to the national cause. The taxable property transferred to Europe aggregated millions. * * * The grim loyalty of Artemas Ward vented itself in a proposition to send all his wife's relations to the war; and there were plenty of people whose loyalty—of a like kind—engaged itself in schemes for taxing the property of their neighbors." †

The financial pressure was felt by all. Emerson wrote in 1862:

"The 1st of January has found me in quite as poor a plight as the rest of the Americans. Not a penny from my books since last June, which usually yield five or six hundred a year; no dividends from the banks or from Lidian's Plymouth property. Then almost all income from lectures

* Richardson, *Messages and Papers*, vol. vi., p. 50. Rhodes (*United States*, vol. v., p. 201) says that after the South had practically repudiated her debts to the North, the liabilities of those who failed in the latter section rose from \$62,000,000 in 1860 to \$179,000,000 in 1861.

† Schuckers, *Life of Chase*, p. 330 (copyright D. Appleton & Co.).

has quite ceased, so that your letter found me in a study how to pay three or four hundred dollars with fifty. * * * I have been trying to sell a wood lot at or near its appraisal, which would give me something more than three hundred, but the purchaser does not appear. * * * 'Tis frightful to think how many rivals we have in distress and in economy.' *

Naturally, under the prevailing conditions, numerous economies were practised. For instance, as the prices of coffee and sugar had risen enormously,† many families used parched corn or rye, or mixed dandelion root with pure coffee; and some substituted brown for white sugar. Luxuries gradually disappeared from the tables, but under the enthusiasm for the cause were soon forgotten, and the North became a community of simple living, proud rather than ashamed of the frugal repasts. On June 23, 1864, the *Providence Journal* spoke the sentiment of the majority in the North when it said:

"Many of us are compelled by high prices to deny ourselves certain luxuries to which we have been accustomed. It is not pleasant to dispense with them. Perhaps at times some of us complain and murmur at the burden the war thus lays upon us. But at such moments let us think for an instant how utterly insufficient and worthless are our sacrifices compared with those which the soldiers are making for us day after day and month after month, and let us be shamed into silence that we count our petty trials as anything, while our brothers and friends, living on hard-tack, sleeping on the ground, fighting with unsurpassed desperation and vigor, are facing death every hour, and many of them laying down their lives, and all in behalf of us who are grumbling for the lack of some delicacy to tickle the palate, some superfluous luxury which perhaps we are all the better for dispensing with."

* J. E. Cabot, *Memoir of R. W. Emerson*, vol. ii., p. 612.

† Schwab, *Confederate States of America*, pp. 175-178.

In spite of the depression over the disastrous failure of McClellan's Peninsula campaign, Pope's defeat at the second Bull Run, Burnside's disaster at Fredericksburg and other reverses, business at the North began to revive late in 1862 and continued active throughout the war. There was a sharp advance in the quotations of railroad stocks; the price of pig iron per ton rose from \$23.87 in 1862 to \$59.25 in 1864;* and the prices of commodities in the New York market greatly increased. An era of money-making and accumulation of wealth had set in, which was evidenced not only in wild speculation on the stock exchanges, but in legitimate transactions and in the investment by the people of their savings in the securities of the Government.† On November 14, 1863, John Sherman wrote to his brother remarking upon the increasing prosperity of the country and especially of the laborers, then continuing —

"We are only another example of a people growing rich in a great war. And this is not shown simply by inflated prices, but by increased production, new manufacturing establishments, new railroads, houses, etc. Indeed, every branch of business is active and hopeful. This is not a mere temporary inflation caused by paper money, but is a steady progress and almost entirely upon actual capital. The people are prospering and

* Swank, *Iron in All Ages*, pp. 387, 391.

† Sumner wrote: "The North was never more prosperous; there is nothing in its streets or its fields to show the contest in which we are engaged. Wages are high, business is active, and every form of industry is well rewarded."—Pierce, *Life of Sumner*, vol. iv., p. 140.

show their readiness to push on the war. Taxes are paid cheerfully, and the voluntary donations for our soldiers and their families are counted by thousands.”*

In his annual report of December 10, 1863, Secretary Chase said:

“The withdrawal from mechanical and agricultural occupations of hundreds of thousands of our best, strongest and most active workers in obedience to their country’s summons to the field, would, under any system of currency, have increased the price of labor, and by consequence the price of the products of labor, while the prices of many things would have risen, in fact, from other causes, as, for example, the price of railroad bonds from vast increase of income through payments for military transportation and the price of cotton from deficient supply.”

Another index of the prosperous conditions was the paucity of commercial failures. To be sure, in 1860, the liabilities of those who failed amounted to \$62,000,000, and then increased in 1861 to \$179,000,000; but in 1862 there were only \$23,000,000, in 1863 \$8,000,000, and in 1864 only \$9,000,000.†

During the first year of the war 6,000 Northern commercial houses failed for sums of \$5,000 and more, but though there were 2,000 more failures than during the panic of 1857 the liabilities were \$90,000,000 less. Counting large and small suspensions, probably 12,000 people failed in 1861.‡ R. G. Dun and Company report the

failures for 1861 in the Northern States as 5,935, with liabilities of \$178,000,000, but in this reckoning Delaware, Maryland, Kentucky, Missouri, and the District of Columbia were not included; these States would raise the total failures to 6,520, with liabilities of \$193,000,000. After the spring of 1862 conditions improved and the number of insolvents diminished, the record for 1862, 1863, 1864, and 1865 being 1,652, 495, 520, and 530 respectively.

Much of the trouble was caused by the facts that the banks were maintaining their reserves below the 25 per cent. limit demanded by conservative interests, and that many of the wild-cat banks in the West collapsed. The sphere of greatest activity of these banks was Illinois, Indiana, Wisconsin, and Missouri; the loose banking laws of these States made it possible to establish such banks without deposits, discount business, or cash reserve, and as stocks of any description were available as security for the circulating medium, much worthless paper was put up as collateral for a currency issue. Some of the banks had a large amount of the stock of Southern States and when these States seceded the stocks fell lower and lower in value and inevitably involved with themselves in their ruin the circulating medium. Almost every day some bank had its notes discarded as worthless and was forced to close its doors; in April of

* Sherman’s *Letters*, p. 216; also John Sherman’s *Recollections*, vol. i., p. 332.

† These are the figures of Rhodes, *United States*, vol. v., p. 202.

‡ Emerson D. Fite, *Social and Industrial Conditions in the North During the Civil War*, pp. 105–106.

1861, the opening month of the war, 37 Illinois banks failed, and 89 out of a total of 110 banks in the State were compelled to suspend business. After a year of such trouble only 17 banks in the State remained solvent, and these had the paltry circulation of but \$400,000, whereas the circulation had once reached over \$12,000,000. In Wisconsin 39 banks were ruined, 27 in Indiana, and a number in Missouri. The downfall of these banks not only lost several million dollars for their depositors, but also ruined many Eastern business men, because collections in the West were almost impossible or, at the best, were extremely difficult.*

Many reforms were attempted. The banking laws of almost every Western State were revised and in several States the bankers' associations took voluntary action. The Wisconsin Bankers' Association resolved not to receive the notes of any bank thereafter established in the State unless the bank were first sanctioned by the association; no bank could increase its circulation unless the association consented; unreliable banks were to be closed; and the members of the association pledged themselves to aid in putting out of business unsound banks by refusing to receive their notes.† The greatest reform was the establishment of the National

banking system.* These banks, as were the State banks, were to be managed by a board of directors, but could not circulate notes until a certain amount of United States bonds were deposited in security with the United States Treasury at Washington. Every National bank note was of the same value in every State and, as the notes were printed and furnished by the Government, they were uniform in color and size. There was much opposition to the new banks, particularly in the East, where the bankers could perceive little advantage in the innovation, but in the West it was felt that any change would be a relief from the wrong policies then in vogue, and the large cities soon entered heartily into the new scheme. In order to drive the old notes out of circulation the Western bankers agreed that only greenbacks and National bank notes would be accepted at par after a certain date, and that notes of all State banks, even those of the East, must be sent home for redemption. Finally a law was passed by Congress imposing an annual tax of 10 per cent. on the circulation of State banks; and as few institutions could afford to pay this tax, the old banks were forced indirectly to come under the new banking law.

* Fite, *Social and Industrial Conditions*, pp. 110-112.

† The resolutions are given in full in Fite, pp. 152-154.

* Acts of February 25, 1863, and June 3, 1864, *United States Statutes-at-Large*, 37th Congress, 3d session, chap. lviii., and 38th Congress, 1st session, chap. cvi.

Besides the State and National bank notes, greenbacks, shinplasters, and postal notes formed a part of the circulating medium. The greenbacks were in some respects similar to the wild-cat notes. The former were promises to pay without interest, and were issued by the Government for circulation as money in every State, but had no security behind them; while the "wild-cats" were issued by individual bankers or banks and were secured by stocks (such as they were). The Government needed money badly, being hard pressed by its creditors, and could not borrow coin on favorable terms; hence it printed and issued its notes without adequate security, though in this way it was able to satisfy creditors with paper promises and to continue their payments indefinitely, so long as the people accepted the notes. It was really a borrowing of money without the payment of interest, but, as no great objection was made, as much as \$400,000,000 was kept in circulation. When gold and silver disappeared from circulation, the smaller ten and five cent pieces and even pennies also disappeared; in lieu of small change, therefore, individuals began to issue their promises to pay without security back of them. Saloons, restaurants, barber shops, hotels, street railways, ferries, and private individuals of all descriptions manufactured this fractional money and their example was

followed by municipalities — among others, Albany, Troy, Newark, and Jersey City. Sometimes the plasters took the form of pieces of paper or cardboard, signed or unsigned; sometimes of small coins of various alloy and description; and sometimes of postage stamps and private checks. To afford relief from this situation the Government issued the so-called postal-currency, consisting of small paper notes of the denominations of 1, 3, 5, 10, 12, 24 and 90 cents, each note legal tender to the United States for sums less than \$5 but not legal tender between individuals for any amount.*

During the years 1860 to 1865 the deposits of the associated banks of New York, increased from \$79,988,633 to \$224,112,205, and their liabilities from \$193,897,638 to \$352,333,551, while the annual exchanges of the clearing house were as follows:

Years	Clearings	Daily Average
1860	\$7,231,143,057	\$23,401,757
1861	5,915,742,758	19,269,520
1862	6,871,443,591	22,237,682
1863	14,867,597,849	48,428,657
1864	24,097,196,656	77,984,455
1865	26,032,384,342	84,796,040†

In 1863 there were 66 National banks, in 1864, 467, in 1865, 1,294, and in 1866, 1,634. On January 1, 1860, there were 18 savings banks in New York City, which number had in-

* Fite, pp. 118-123.

† See the annual reports of the Comptroller of the Currency; also the *Statistical Abstract of the United States*, issued by the Government.

creased by January 1, 1866, to 25; during the same period the deposits increased from \$43,410,083 to \$76,989,493, and the depositors from 196,979 to 299,538. In Brooklyn the number of banks rose from 4 to 10, the deposits from \$5,624,050 to \$14,429,734, and the depositors from 30,112 to 62,844. In the entire State of New York the number of banks increased from 64 to 86, the deposits from \$58,178,160 to \$131,769,074, and the depositors from 273,697 to 488,501. In the United States as a whole the deposits increased from \$149,277,504 to \$242,619,382, and the depositors from 693,870 to 980,884. As nearly as can be ascertained, the deposits in all banks during these years was as follows:

Years	National Banks	Savings Banks	State Banks
1860...	*	\$149,277,504	\$257,229,562
1861...	*	146,729,882	296,322,408
1862...	*	169,434,540	393,686,226
1863...	*	206,235,202	*
1864...	\$119,414,239	236,280,401	*
1865...	398,357,560	242,619,382	*

These figures indicate habits of saving and the possession of much money by the laboring classes.

Life, accident, and fire insurance companies made much progress during the war, particularly the first-named. The two largest companies (the Mutual Life of New York and the Connecticut Mutual) doubled their business, the former from 12,000 to 24,000 policies and the latter from

10,000 to 29,000, the increase in the amount of insurance in force being from \$38,000,000 to \$84,000,000 for the New York company and from \$26,000,000 to \$82,000,000 for that of Connecticut. The number of companies operating in New York increased from 17 to 30, their policies from 49,000 to 305,000, and the amount of insurance in force from \$141,000,000 to \$865,000,000. The substantial gains of all these companies showed that the people were at least prosperous enough to be thrifty and forehanded. In 1864 the first accident insurance company in the country (the Travelers, of Hartford) was formed and during the next year wrote 27,000 policies, even though almost a score of rivals sprang into existence during this time. The mutual relief associations, such as the Odd Fellows, Masons, Firemen's Benevolent Association, etc., continued to flourish. Owing to vigorous competition, fire insurance rates declined rapidly during this period, the depreciation in the four years amounting to about 50 per cent. This tended to increase the amount of insurance written as well as the gross amount of premiums received. In New York State the companies increased from 96 to 109, the premiums from \$11,000,000 to \$25,000,000, and the risks from \$1,530,000,000 to \$3,428,000,000.*

* No data.

* Fite, pp. 128-130.

A glance at the statistics of foreign trade would also seem to indicate that prosperous conditions prevailed in the North and that foreign luxuries were being imported in large quantities, since, under the rules of international law, the entry of many articles which had hitherto swelled the total of imports had been prohibited as contraband of war. In every year except one (1862) the imports exceeded the exports, the figures being as follows:—

Year	Imports	Exports	Excess Imports
1860.....	\$353,616,119	\$333,576,057	\$20,040,062
1861.....	289,310,542	219,553,833	69,756,709
1862.....	189,356,677	190,670,501	*1,313,824
1863.....	243,335,815	203,964,447	39,371,368
1864.....	316,447,283	158,837,988	†157,609,295

This great excess of imports naturally led to the export of specie, and, to make matters worse, there was a great deficiency in the winter corn crop of 1864. In a letter dated January 15, of that year, Quartermaster-General M. C. Meigs said:

“Mr. Osborne of the Illinois Central Railroad is here to bring to the knowledge and notice of the government the great deficiency in the winter corn crop, which he estimated at \$200,000,000 loss to the country, the greatest calamity we have had since the outbreak of the rebellion. The whole North and East is apparently notoriously and extravagantly prosperous. Importations are enormous, some of great importance and value to the country: machinery, tools, etc., which deficient labor prevents our making at home; but

a large portion of the importation is of luxuries, and as the deficient grain crops leave us no grain for exportation, and as England has a most abundant crop of cereals we are likely to be called upon to pay for these luxuries in gold. European merchants in New York want gold as exchange for all their orders. They do not trust us and look for a period of great depression and financial distress.” *

Hence the drain of coin became alarming, the totals of gold and silver standing as follows:

Year	Imports	Exports	Excess Exports
1860.....	\$8,550,135	\$66,546,239	\$57,996,104
1861.....	46,339,611	29,791,080	†16,548,531
1862.....	16,415,052	36,887,640	20,472,588
1863.....	9,584,105	64,156,611	54,572,596
1864.....	13,115,612	105,396,541	92,280,929

Though the figures of foreign trade indicate an enormous amount of business, this does not mean necessarily that the American shipping trade was prosperous. Quite the reverse was true, for the war struck a terrible blow to the American merchant marine. In 1860 more than one-half of the tonnage entering American ports was American, but in the brief space of five years of war nearly 5,000 American ships went out of commission while almost exactly that number of foreign vessels appeared upon the seas.‡ As a result American merchants were generally compelled to use foreign ships instead of their own, and in New York harbor the American

* Excess exports.

† *Commerce and Navigation of the United States*, issued annually by the Government: Depew, *One Hundred Years of American Commerce*, vol. i., p. 23.

* *Official Records*, ser. iii., vol. iv., p. 1054.

† Excess imports.

‡ In 1860 12,682 American vessels cleared American ports, and in 1864, 7,967; in 1860, 10,912 foreign vessels, and in 1864, 15,039.

flag was scarcely ever seen flying at the masthead of a merchant vessel.* There were several reasons for this, the principal one probably being the depredations committed on American commerce by the *Alabama* and other Confederate privateers, which captured 284 vessels, of 132,307 tons, valued with their cargoes at about \$25,000,000. When the fearful havoc wrought to American shipping by the *Alabama* became known, the owners of hundreds of vessels, fearful that the same fate awaited their vessels, made haste to transfer them to foreign flags, the British colors taking the lead, and during the war approximately 1,000 vessels were thus transferred.† Another reason was to be found in the fact that many ships had been turned over to the Government for transport service. Then, too, American capital failed to be attracted to steam transportation on the ocean, though millions were being invested in steam railroads and river steamers. There were eight American ocean steamship lines, but the vessels were engaged in the coastwise trade and none crossed the ocean to Europe.

The value of goods imported and

exported in American and foreign vessels during the war was as follows:

Years	IMPORTS		
	In American vessels	In foreign vessels	Percentage American
1861.....	\$201,544,055	\$134,106,098	60.1
1862.....	92,274,100	113,497,629	44.8
1863.....	109,744,580	143,175,340	43.4
1864.....	81,212,077	248,350,818	24.6
1865.....	74,385,116	174,170,536	29.9

Years	EXPORTS		
	In American vessels	In foreign vessels	Percentage American
1861.....	\$179,972,733	\$69,372,180	72.1
1862.....	125,421,318	104,517,667	54.6
1863.....	132,127,891	199,880,691	39.8
1864.....	102,849,409	237,442,730	30.2
1865.....	93,017,556	262,839,588	26.1

Moreover, the British government granted far more liberal subsidies to ships for carrying the mails than the United States allowed, these subsidies in the 50's being, respectively, \$2.39 and \$1.80 per mile. Great Britain could also build iron steamers more cheaply, since her iron, coal, and labor cost less than the American. Naturally the British gained the mastery of the sea and have ever since maintained it. However, when American merchants saw American shipping eclipsed, they besought the Government not only to restore the old subsidy given to the Collins line during the 50's* but to make a more liberal allowance, so that American vessels might compete with the British. The New York Chamber of Commerce and other bodies petitioned Congress to grant the requested aid, but that body gave no heed to the prayer, probably because the Treasury was already

* On November 14, 1863, only 19 out of 176 vessels entering New York flew the American flag, while 93 carried the British, 20 that of Bremen, and 10 the French.

† From 1861 to 1865 the American tonnage registered for the foreign trade fell from 2,540,020 to 1,504,575 tons, and 874,652 tons were transferred to foreign flags.—Depew, *One Hundred Years of American Commerce*, vol. i., p. 40; also pp. 60, 120. See also Coman, *Industrial History of the United States*, pp. 277-279.

*See Volume vii., p. 430 of this History.

groaning under the burden of absolutely necessary expenses and to take such an extravagant step as creating ship subsidies would have been political suicide to the members of Congress when they were taxing everything in sight to provide the sinews of war. Even yet the Government has not given the American shipowners the stimulus they crave, and foreign shipping still predominates in American harbors.*

One thing is certain: the prophecy of the Confederates that the withdrawal of Southern trade would prostrate business in the North and "make grass grow in the streets of New York" was not fulfilled. On March 24, 1865, the *New York Sun* described the situation in New York as follows:

"Could these prophets have been here yesterday and witnessed the grand 'opening' of the spring fashions, the throngs of elegantly attired ladies in search of the 'latest styles,' together with the bustle and activity of business among the wholesale merchants throughout the city, they would have concluded that their augury in this respect, like most of their predictions in regard to the war, were 'baseless as the fabric of a dream.' New York has not suffered, in a business point of view, in consequence of the rebellion. It is true that the city lost a large and lucrative trade by the secession of the Southern States, but it is also true that this loss has been made good by the vast increase of Northern and military trade since the commencement of the war. There never was a time in the history of New York when business prosperity was more general, when the

demand for goods was greater, and payments more prompt, than within the last two or three years. Manufacturers have been crowded with orders, dealers have had an abundance of customers, and every branch of legitimate trade has flourished. There have been virtually no suspensions of business houses, and there has been no cause for them. Rates of interest have been very low, and there has been no trouble in obtaining money to meet obligations. Improvements of real estate, too, have suffered little or no abatement. Business structures and residences have been constantly in course of construction, and some of the finest buildings in the city have been erected since the beginning of the war. In short, New York has shown no evidences of business prostration. Everything has indicated a remarkable degree of prosperity, and there is, as yet, no sign of the 'grass' in the streets, as was gravely predicted by the rebels. All this shows the firmness of the foundation upon which the commercial metropolis of the country stands. The hundred and fifty thousand men whom it has sent to the army, the hundreds of thousands of dollars it has poured into the national treasury, the loss of the rich Southern trade, have not shaken its stability, and to-day it stands more prosperous in every way than at the outbreak of the rebellion."

There was much divergence of opinion as to the prosperity of certain sections of the country and of specific industries. D. W. Voorhees, a Democratic member of Congress from Indiana, declared in the House early in 1864:

"I visited New England last summer. I heard the swelling hum of her manufactories and saw those which only a short time ago worked but a few hands now working their thousands and rolling up their countless wealth. I felt that it was an unhealthy prosperity. To my mind it presented a wealth wrung from the labor, the sinews, the bone and muscle of the men who till the soil, taxed to an illegitimate extent to foster and support that great system of local wealth."

J. C. Allen, an Illinois Democrat, declared —

"The manufacturers of New England are growing rich; they boast of the prosperity of their

* Fite, pp. 147-150. At the present time American ships carry about 12 per cent. of the imports and 8 per cent. of the exports. In 1912, out of the total foreign trade by sea, American vessels carried \$322,451,565 and foreign vessels \$3,109,018,858 or a percentage of 9.4 for American vessels.

people. I would to God the agricultural interests of the West could thus boast. While they have been able upon their products to realize within the last two years more than three hundred per cent. upon their goods than they did four years ago, we in the West are selling them our wheat at a dollar a bushel and our beef at less price than we received three years ago: and that, too, in a depreciated currency. Three years ago a bushel of wheat in the market would purchase ten yards of common domestics of New England manufacture. To-day it will purchase but two. We are therefore paying an indirect tax unprecedented in the history of the country; and we are paying that bonus to New England manufacturers and the government together."

One of the notable features of life in the North during the war was the growth of agriculture; this being particularly true of the Western States, whose progress was unprecedented. In 1839, 1849, and 1859 the production of wheat in bushels had been 84,000,000, 100,000,000, and 173,000,000 respectively, and of corn 377,000,000, 592,000,000, and 838,000,000 respectively. Of the 1859 crop of wheat the Northern States had produced 138,000,000 bushels and of corn 547,000,000 bushels. In 1862, 1863, and 1864 the loyal States produced 177,000,000, 173,000,000, and 160,000,000 bushels of wheat in the respective years, and 533,000,000, 397,000,000, and 451,000,000 bushels of corn. Of the crops in these three years the States of Ohio, Indiana, Illinois, Wisconsin, and Iowa produced 113,000,000, 111,000,000, and 102,000,000 bushels of wheat, and 361,000,000, 237,000,000 and 346,000,000 bushels of corn. The sale of hogs was enormous and the packing business made great strides; the highest number slaughtered in any

previous year was 2,500,000, but in 1862 the figure was 4,000,000 and in 1863 3,000,000. Sheep-raising became highly profitable; the annual production of wool rose from 40,000,000 to 140,000,000 pounds and the number of sheep from 16,000,000 to 32,000,000. Attempts were made to produce substitutes for Southern cotton and sugar but they did not prove remarkably successful. In California, southern Indiana, and southern Illinois efforts were made to cultivate cotton, but though the Government gave every assistance in its power, failure attended every effort, chiefly because of the rigor of the climate. The cultivation of sorghum as a substitute for Louisiana sugar was successful and extended very rapidly in the Northwest, but the growers were disappointed in their efforts to obtain sugar from the new cane as it would produce only syrup. As a result sugar was scarce and high priced throughout the war.*

But while the war inflicted some hardships on the agricultural interests, it also brought its compensations. The drain of young men to meet the demands of the army had left the farmers in need of help; the crops had to be secured, and new methods and new implements became necessary. Hence intense interest was aroused in reapers, mowers and other agricultural implements which would enable farmers to reap larger har-

* Fite, *Social and Industrial Conditions*, pp. 1-4.

vests, with fewer men, than they had been able to garner before the war with all hands working. Indeed, as the *Scientific American* stated on July 4, 1863: "Manual labor was so scarce last autumn that but for the horse rakes, mowers, and reaping-machines one-half of the crops would have been left standing in the fields. This year the demand for reapers has been so great that manufacturers will not be able to fill their orders." The reaper invented in 1831 by Cyrus H. McCormick and patented by him on June 21, 1834, though in practical use for several seasons, did not become a commercial success until 1845, when several improvements were added that greatly increased its efficiency. Hence, as the *Scientific American* said: "Farming is comparatively child's play to what it was twenty years ago, before mowing, reaping, and other agricultural machines were employed." In 1848 about 700 McCormick reapers were manufactured; in 1858 about 5,000; in 1864 about 6,000; and in 1868 about 8,000. In 1862 about 35,000 mowers were manufactured; in 1863, 40,000, and in 1864, 70,000.*

Another thing, supplementing the labor-saving machinery, that tended to increase the production of crops in the West, was the westward movement

not only of Eastern citizens but of foreign immigrants. Of the great numbers of immigrants who reached our shores during the war,* many thousands declared their intention of continuing their journey to the Western States, induced thither by the cheapness of lands controlled partly by the National and State governments and partly by the railroads. The magnitude of this migration is graphically reflected by the population statistics of the Western States and cities as shown by the following table:

	1850.	1860.	† 1870.
Illinois	851,470	1,711,951	2,539,891
Indiana	988,416	1,350,428	1,680,637
Iowa	192,214	674,913	1,194,020
Kansas .....	.....	107,206	364,399
Kentucky	982,405	1,155,684	1,321,011
Michigan.....	397,654	749,113	1,184,059
Minnesota.....	6,077	172,023	439,706
Nebraska.....	.....	28,841	122,993
Ohio.....	1,980,329	2,339,511	2,665,260
Wisconsin.....	305,391	775,881	1,054,670

The increase in Western cities was as follows:

	1850.	1860.	1870.
Chicago.....	29,963	109,260	298,977
St. Louis.....	77,860	160,773	310,864
Cleveland.....	17,034	43,417	92,829
Cincinnati.....	115,436	161,044	216,239
Detroit.....	21,019	45,619	79,577
Milwaukee.....	20,061	45,246	71,440
Minneapolis.....	.....	2,564	13,066
Indianapolis.....	8,034	18,611	48,244
St. Paul.....	1,112	10,401	20,030
Toledo.....	3,829	13,768	31,584
Columbus.....	17,882	18,554	31,274
Dayton.....	10,970	20,081	30,473
Des Moines.....	986	3,965	12,035

* Fite, pp. 6-7. See also Herbert N. Casson, *The Romance of the Reaper*; Depew, *One Hundred Years of American Commerce*, vol. ii., p. 354 *et seq.* The agricultural industry will be found treated more fully in chapter ii., of part vi., following.

* 142,877 in 1861; 72,183 in 1862; 132,925 in 1863; 191,114 in 1864; and 180,339 in 1865.

† The statistics for this year are given because there was no census taken between 1860 and 1870, and therefore figures for 1865 would only be conjectural.

The Homestead Act,* by which the Government gave away farms to actual settlers for a nominal fee, was, as stated above, the principal incentive to new settlement; under the beneficent workings of the new law in two and one-half years 2,500,000 acres of land were disposed of, representing nearly 16,000 farms of 160 acres each and meaning an increase in population of from 75,000 to 100,000.† Besides, thousands of acres, previously disposed of by the Government for educational and other purposes, were taken up in settlement; Minnesota, for instance, sold 165,000 acres of her school lands and Wisconsin 200,000 acres. Moreover, the lands granted to railroads were sold by them in a business-like way and attracted a steady stream of settlers. The Illinois Central received 2,600,000 acres and disposed of 102,000 acres in 1861, 87,000 acres in 1862, 221,000 acres in 1863, 264,000 acres in 1864, and 154,000 acres in 1865 — a total of 828,000 acres in the five years. As each purchaser bought a 60-acre farm, about 14,000 farms were settled, meaning an increase in population of about 75,000.

Other things combined to enhance the prosperity of the Western farmers. The building of new and the extension of old railroads provided the farmers with every means of ac-

cess to the markets, and the rates of transportation for grain and other products declined instead of advancing with the advance of prices in general during the paper money régime. The expansion of the country in every line — mining, lumbering, transportation, manufacturing, commerce, etc., — naturally created a demand for more food products; the demands of the armies were greater proportionally for the same number of men than during times of peace, for the armies were wasteful, and often quantities of provisions were either lost or captured; and besides, the crops of Great Britain failed in 1861, 1862, and 1863 and in one of these years those of all Europe, so that foreign demands greatly stimulated the production — particularly of wheat. Undoubtedly this had its significance and effect on the outcome of the war, for in the very year when British imports of wheat from the Northern States were largest, those of Southern cotton were lowest, falling from 2,000,000 bales in 1860–61 to 13,000 bales in 1861–62.* The South believed that “cotton was king” and that without it England “would topple headlong and carry the whole civilized world with her.”† Quite the reverse was true. Instead of depending on Southern cotton, England depended on Northern wheat.

* See Coman, *Industrial History of the United States*, pp. 279–282; Donaldson, *Public Domain*, p. 332 *et seq.*

† The land system will be found treated more fully in chapter i. of part vi., following.

* Schwab, *Confederate States of America*, p. 238.

† Clive Day, *A History of Commerce*, p. 523 (1907). Regarding the absurdity of this assertion, see Pollard, *The Lost Cause*, p. 130.

Her leading foreign granaries were the United States, Russia, Prussia, and France, and during her three years of agricultural disaster only one of these granaries (the United States) came to her aid, the shipments from France falling off, while those of Russia and Prussia remained stationary. Hence, if England had offended the Northern States by taking all the Southern cotton, whether forcibly or otherwise, the war that would probably have resulted would have cut her off from her only source of grain supply, at a time when America was the only country that had grain to spare. The situation in England grew worse instead of better, while the United States was growing bumper crops, and to have fought the United States would have been to invite hardship. Hence, it is quite likely that the need of grain was a factor in preventing aggressive demonstrations by England in favor of the South and against the North.*

The mines were as productive as the farms, and the output in most cases surpassed all previous records. Next to gold, coal was the most important mining interest, Pennsylvania ranking first among the coal-producing States with 9,500,000 tons of anthracite in 1860, 10,000,000 tons in 1864, and about the same quantity in 1865. The total production of bituminous coal was 5,798,393 tons in

1861, 5,971,748 tons in 1862, 6,956,004 tons in 1863, 8,512,270 tons in 1864 and 9,880,780 tons in 1865. The total output of all kinds of coal in the years named was, respectively, in tons, 14,721,439; 15,612,353; 19,034,877; 21,076,003; and 21,243,012. Of pig-iron there were produced (chiefly in Pennsylvania) 653,164 tons in 1861, 703,270 in 1862, 846,075 in 1863, 1,014,282 in 1864, and 831,770 tons in 1865.* The completion of the Sault Ste. Marie Canal and the Marquette Railroad placed the iron mines of Michigan in communication with the outside world, and shipments from that State became enormous.† The opening of the canal had practically the same effect on the copper industry of Michigan, which was of no importance until that time, but thereafter the output increased until 1860 when there came a five-year lull, 6,034 tons of ingot copper being produced in 1860 and only 6,246 tons in 1864. In the latter year the Calumet lode was discovered, and in 1866 the Calumet mine (consolidated with the Hecla in 1871 as the Calumet and Hecla) began its wonderful career, raising Michigan to the pinnacle of leading copper-producing State. At the opening of the war much attention was attracted to Michigan by a wholly new mineral product — salt brine. As far back as 1838 the State had appro-

* See the *Statistical Abstract of the United States*.

* Fite, *Social and Industrial Conditions*, pp. 18-21. See also the following chapter.

† In 1855, 1,445 tons; in 1859, 67,000 tons; in 1860, 67,000 tons; in 1864, 235,000 tons.

priated \$3,000 for experimentation by the State geologist, and other work was done in 1840, 1841 and 1842, but no well was sunk until 1859, when a private corporation established a plant at Saginaw. During 1860, 472 barrels were produced and by means of a liberal system of State bounties and a heavy demand the production was greatly augmented during the following years. This discovery was opportune, for the war cut off the supply from the works on the Kanawha River, Virginia, and the foreign importation through New Orleans. In a short time the Chicago meat-packers were using more Michigan than New York salt. The discovery of oil in Pennsylvania laid the foundation of an industry that soon developed into enormous proportions, produced great fortunes in a short time, and precipitated a craze for speculation which was only comparable with the frenzy aroused by the gold discoveries.* So marvelous was the development that from a production of 84,000 gallons in 1859 the output increased to 21,000,000 gallons in 1860, 88,771,578 in 1861, 128,380,980 in 1862, 109,674,978 in 1863, 88,876,578 in 1864, and in 1865 104,903,403 gallons.†

* Fite (*Social and Industrial Conditions*, p. 27 et seq.) gives a good short history of this industry in its early days. See also Depew, *One Hundred Years of American Commerce*, vol. i., pp. 204-214.

† *Statistical Abstract of the United States*. According to the report of the Bureau of Foreign and Domestic Commerce of the Department of Commerce and Labor, the production of crude petroleum in 1912 was 220,449,391 barrels of 42

The production of precious metals kept pace with other metals, silver making the most remarkable gain. The discovery in 1859 of the Comstock lode in Nevada, an immensely valuable gold and silver mine, the first large deposit of silver found in the country, and of the Gregory lode in Colorado in the same year not only added enormously to the resources of the North but attracted an immense population to a sparsely settled region of the country. In the first six years the output of the Comstock mines was valued at \$52,000,000, and in the first five years that of the Gregory mine at about \$20,000,000. During the war the production of gold and silver was as follows:—

Years.	Gold.	Silver.
1861.....	\$43,000,000	\$2,062,000
1862.....	39,200,000	4,684,800
1863.....	40,000,000	8,842,300
1864.....	46,100,000	11,443,000
1865.....	53,225,000	11,642,200

Naturally, the discovery of these rich deposits of minerals induced large numbers of Easterners to migrate westwardly and the movement of population over the plains was constant. Among those attracted to the mining camps were many whose reputation as well as character did not add to the social, intellectual or moral betterment of the communities in which they settled—it was scarcely to be expected that the majority of the adventurers would be of the kid glove,

gallons each or 9,258,874,422 gallons, of course making the figures in the text seem puerile by comparison.

tenderfoot variety; yet in many localities, as in the days of the forty-niners, the baser element gained the ascendancy and brought the whole region into ill-repute, until the better element arose in their might and became the dominant party. The history of Virginia City, Montana, is graphically typical. The first buildings there were erected in 1862 and two years later the population was nearly 15,000, more than 599 buildings being put up in a single year. Gambling and liquor saloons thrived, and prize fights, bull fights and drunkenness were spectacularly supreme. Desperadoes from every quarter of the globe ruled the city with a high hand, rendering impotent all efforts to enforce what few laws existed; but in 1864 a vigilance committee was formed by the better class of settlers to take the situation in hand, the result being given by the *Boston Review** as follows:

"In the first three days of the acts of this committee, forty persons were arrested, tried, condemned, and executed, among whom were the sheriff and one or two of his deputies, several other county officers, and men of apparently good standing, many of whom confessed their guilt before death. This summary proceeding sent terror to the hearts of all who belonged to the gang, and they fled to parts unknown. About sixty persons in all had been executed up to the first of October, 1864. Law and order have since prevailed, and the vigilance committee still hold their councils, ready at all times to bring men to justice, not without examination and trial, but without delay, bribery, or corruption on the part of the culprit or his hirelings."

Never before was the total of manufactured products so large as during

the Civil War period.* The packing industry experienced a wonderful impetus as a result of the unusual transportation conditions arising out of the closing of the Mississippi River, the number of hogs packed at Chicago increasing from 270,000 in 1860 to 900,000 in 1864. In one year about 25 packing houses were erected in Chicago, doubling her packing capacity; and in the same year her grain elevators doubled their capacity. The flour mills of the North maintained their normal output,† while sugar refining grew apace under the fostering influence of the tariff, this business shortly after the war ranking ninth in value of manufactured products among the large manufacturing industries of the country. The imposition of internal taxes during the war had a marked effect on the production of whisky. At first the tax was only 25 cents per gallon, but it quickly rose to 65 cents, then to \$1.50, and finally to \$2. The distillers, anticipating these increases in taxation, pushed their

*The rank of the most important manufacturing States, in the value of their products, was as follows: New York, Pennsylvania, Massachusetts, Ohio, Connecticut, New Jersey, California, and Illinois. See Schouler, *United States*, vol. vi., pp. 328-329.

†In 1860 the Western States produced more mill products, and in greater variety, than the New England and Middle States combined. Ohio was second only to New York in the value of her flour product, while Illinois stood fourth and Indiana fifth in the rank of flour manufacturing States. Over one-half of the flour of the United States in 1860 was produced in the Mississippi Valley and westward.—Depew, *One Hundred Years of American Commerce*, vol. i., p. 267.

* As quoted by Fite, *Social and Industrial Conditions*, p. 40.

distilleries to their utmost capacity, and speculators strove to accumulate as much whisky as possible under the old tax in order to take advantage of the increased price that would result from the new rate. Fite estimates the profits of the speculators to have been at least \$50,000,000 and states that the rate of profit on the stock of whisky in bond ranged from 90 cents to \$1.40 per gallon. After the tax had reached \$2 the distilleries remained idle for months.* As the price of whisky advanced the poorer classes turned to beer, with the result that the production of that beverage increased from about 142,000,000 gallons in 1860 to about 225,000,000 gallons in 1865.

At the outbreak of the war the Government had on hand in its arsenals uniforms enough to accommodate only the regular army of 13,000 men, and but few outside factories were fitted for making cloth adapted to military purposes. Hence, when clothing was needed for hundreds of thousands of soldiers, the woollen factories became so busy that night and day shifts were employed and many cotton factories were converted into woollen plants. Even then, during the early months of the war, the soldiers were compelled to wear clothing made of all manner of cloth, some of it dyed the regulation color and some of it, in the emergency, left undyed. Owing to favoritism, the high

prices of Government contracts, and the scarcity of cotton, the profits were enormous, being augmented in many cases by the fact that the goods supplied were of inferior material. The charge was openly bruited that many, if not most, of the uniforms were not made of wool but of shoddy, a material consisting of all kinds of rags cut into pulp and pressed into cloth. This cost but little, and as the manufacturers were paid the full price for woollen clothing, the profits were incalculable. Soon shoddy became a popular synonym for fraud and corruption and was applied indiscriminately to all articles furnished by Government contractors, such as shoddy shoes, hats, stockings, etc.; indeed the country seemed to be passing through a "Shoddy Age." On the other hand, the cotton industry, after the first year of the war, was much curtailed, so that, although during the first year the mills were able to run on two-thirds time, the next year they ran on from one-quarter to one-half time. This was due to the closing of the Southern ports and the advance of the Union armies, so that comparatively little cotton found its way North, thereby compelling the mill operators to consume the surplus remaining from their heavy purchases in 1860 made when the crops were large and the prospect ominous. As will be explained later, much cotton was shipped North during the latter years of the war, so that the cotton mills gradually

* Fite, *Social and Industrial Conditions*, pp. 81-82.

increased the scope of their operations. Owing to the demand of the armies the ready-made clothing industry developed wonderfully. At first some of the cloth used in making uniforms came from abroad, but by 1863 these importations ceased and native industry supplied almost all the clothing for the army of 1,000,000 men. Much of this success was due to the improvement of the sewing machine which had been on the market only a few years. Even at the outbreak of the war it was far from the smooth running, speedy machine that is now known, but its advent permitted the manufacturing of men's shirts in one hour and 16 minutes that had previously consumed 14 hours and 20 minutes to make by hand. Similar reductions in time were made on all articles, and this greatly stimulated the clothing trade.*

* Up to 1853 the total number of machines manufactured was 2,500; in 1860, 116,000. In 1860 about 25,000 Wheeler and Wilson machines were made, and in 1865 about 40,000; the Singer Company produced 13,000 and 26,000 in the same years respectively. See Depew, *One Hundred Years of American Commerce*, vol. ii., p. 530. In vol. i., p. xxvii. of this work a chronological summary of American commerce and invention is given, the most important items (from 1860-1865) being as follows:

1860.

First importations of sisal hemp.

The transcontinental telegraph sanctioned by Congress.

First wrought-iron I-beams rolled by Peter Cooper at Trenton.

Alexander Smith and Halyon Skinner, of Yonkers, secured a patent for power-loom to weave Axminster and Moquette carpets.

In the Government armory at Springfield, Massachusetts, 3,000 men were employed and 350,000 rifles were manufactured annually, at a cost of about \$9 apiece, or \$7 less than the price at which the contractors sold the lowest grade to the Government in its hour of need. Just at the opening of

Centrifugal machine for separating the syrup from the crystallized sugar introduced in the sugar refineries.

1861.

First flowing oil-well struck in Pennsylvania, February 1.

Telegraphic communication opened between St. Louis and San Francisco, October 25.

First message sent over the transcontinental telegraph lines, November 15.

Stereotyping for newspapers introduced by the *New York Tribune* and the *New York Herald*. The McKay sewing-machine patented.

1862.

Union Pacific Railroad chartered, July 1.

R. J. Gatling completed the first Gatling gun at Indianapolis, November 4.

Lockhart & Company export first shipment of American oil.

1863.

The National Academy of Science created by Congress, March 3.

First harness-thread factory established at Paterson, New Jersey, by Barbour Brothers.

Henry Disston built first crucible-steel melting plant for saw steel.

The channeling-machine invented by George W. Wardwell.

The so-called musical telephone brought out by Philip Reis.

1864.

Northern Pacific Railroad chartered.

Postal money order system established.

George M. Pullman built the "Pioneer," his first car.

1865.

The National Wool Growers' Association organized, December.

The Bullock perfecting press brought out.

Polished plate glass first made at Lenox, Massachusetts. (Regarding this, however, see Depew, vol. i., p. 279.)

the war the Government printing office was established and gradually increased its scale of operations until it expended \$1,500,000 annually and employed 800 persons. Almost simultaneously the bureau of engraving and printing in the Treasury Department commenced operations at an initial cost to the Government of \$600,000; it employed about 500 persons and engraved and printed the National currency, the greenbacks, the fractional currency and the bonds. Outside of the sphere of strictly governmental activities, such as coinage and implements of war, just noted, the Government found it necessary, in some cases, to invade the field of general manufacturing, though to a comparatively limited extent. For instance, a Government clothing factory was located at Cincinnati; at New York, Philadelphia and St. Louis were Government laboratories for the manufacture of drugs and medicines; and at Louisville and other places in Kentucky and at Knoxville, Tennessee, were Government meat-packing establishments. A resolution was introduced in Congress to establish a National foundry for the manufacture of cannon, projectiles, etc., but it failed of enactment. Some light is thrown upon the progress of manufactures by the number of patents issued during the war which in 1861 amounted to 3,329, in 1862 to 3,532, in 1863 to 4,184, in 1864 to 5,025 and in 1865 to 6,616.* A large number

of these were for articles used for war purposes, particularly rapid-firing arms.

The impression seems to prevail that the extravagance and luxury induced by this prosperity had a bad effect on the morals of the country—at least upon certain communities. Rhodes* quotes the *Springfield Republican* of May 7, 1864, as follows:

"It is a sad, a shocking picture of life in Washington which our correspondent gives us. A bureau of the Treasury Department made a house of seduction and prostitution. The necessities of poor and pretty women made the means of their debauchery by high government officials. Members of Congress putting their mistresses into clerkships in the departments. An honorable senator knocked down in the street by a woman whom he had outraged. Whiskey drinking *ad libitum*. The government cheated in contracts and openly robbed by its employees. Writes our most careful correspondent, a long resident at the capital—'Washington was never quite so villainously corrupt as at the present time. In the palmy days of Southern rule, of slavery, there was not half the corruption there is now.' We do not doubt this is strictly true."

These assertions contained an element of truth, particularly as regards the corruption existing among the lower grade of officials. As the Government purchased immense quantities of all kinds of supplies—food, clothing, tents, medicines, arms, ammunition, etc.,—both for the army and navy, there was an excellent opportunity for unscrupulous manufacturers, contractors and middlemen to make, if not a dishonest, at least an unwarranted profit on these transactions. Learning of rumors that the Treasury had been mulcted of huge

* *Statistical Abstract of the United States.*

* *United States*, vol. v., p. 212.

sums, Secretary of War Stanton appointed a commission, in the early days of the war, to investigate and audit such claims against the War Department as arose chiefly from the transactions of the Department when Cameron was Secretary. The commission reported on July 1, 1862, that on claims amounting to \$50,000,000 they had secured deductions of about \$17,000,000, or about 33½ per cent. This was due, in part, to the careless system of making contracts, and many an otherwise honest contractor would cheat the Government, when he saw a chance to do so, through the looseness and irregularity of the specifications. As a result of the investigations, one contractor, for instance, deducted \$580,000 from his original bill for arms, and another claim for sabres and guns was reduced by \$1,000,000. Many orders were given to rapacious middlemen, when thousands of dollars could have been saved by placing the order direct with the manufacturer. One of the most flagrant of all exposures was that of a Senator who accepted a bribe of \$20,000 to secure an order from the War Department.* In a report rendered on February 9, 1863, by Grimes, chairman of an investigating committee, an instance is cited of a man who enjoyed a practical monopoly of chartering vessels —

“He was a poor man eighteen months ago with a character not wholly above reproach; he is now rich and fast growing richer by the receipt of a large daily revenue from commissions upon

the earnings of vessels still in the Government employment. The bestowal of this large patronage almost exclusively upon him cannot be reconciled with any theory of strict integrity on the part of the government officers. Although the testimony may not warrant the conclusion that any officer actually shared with him the profits derived from his business, yet the fact that these officers, who know all the circumstances, acquiesced in the continuance of this monopoly should subject them to the most severe reprehension.”*

But undoubtedly there was much exaggeration in the assertions regarding the amount of money stolen or illegally expended, and the wonder is that rapacious swindling did not become far more rampant, when the vast sums handled are taken into consideration and when, as Grimes said in the Senate on May 23, 1864: “We are attempting to administer the affairs of the Navy Department with an expenditure of \$140,000,000 per annum under a system that was established for its administration when its expenses were less than \$1,000,000 per year.”† In his report of October 31, 1865, the paymaster-general states that the sum of \$1,029,239,000 was disbursed by his department between July 1, 1861, and October 31, 1865, and that the total defalcations during this period were only \$541,000.‡ Nevertheless the most favorable aspect of the entire miserable, sordid story presents a shameful picture.

Much money illegally found its way into the pockets of a class of men known as bounty-jumpers. In order

* *Senate Report* 84, 37th Congress, 3d session.

† *Globe*, p. 2411.

‡ *Official Records*, ser. iii., vol. v., p. 204.

* *Official Records*, ser. iii., vol. ii., p. 188.

to get recruits for the army the Government, the States, the counties, and other political divisions offered munificent bounties, a large part of which were paid in cash. For instance, in New York County, a county bounty of \$300 cash down was offered to raw recruits, besides the State bounty of \$75, the United States bounty of \$302 and \$100 additional to veterans. The criminal classes, such as thieves, pick-pockets, and vagabonds, would enlist, take whatever bounty was offered in cash, desert as soon as the opportunity presented itself, change their names, reënlist in another district or State, collect another bounty, desert again, and continue the operation until caught or until they grew weary of the business. This pernicious practice brought into operation a class of persons known as substitute brokers, whose sole aim was to get recruits and earn their brokerage without regard to the physical or moral qualities of the recruits. Rhodes* quotes the *New York Tribune* of February 16, 1864, as follows:

"The system of recruiting which has recently been followed in this city is one of the greatest scandals of the war. It has been one of organized pillage, resort being had to hocusing with narcotic poisons, threats, violence, false representations, and kidnapping, in order to furnish victims to the bounty brokers and fill up the army with discontented and unfit men. Cripples, old men, mere boys, men laboring under incurable diseases and soldiers previously discharged for physical disability, form a great part of the recruits recently enlisted in this city."

In his report of March 17, 1866, Provost-Marshal-General James B. Fry stated:

"The opportunities for fraud and gain in connection with the increase of local bounties grew rapidly, and with the business open to the bad as well as the good, very soon produced the class of men known as bounty and substitute brokers, who were generally bad and dishonest men. The network with which they covered the country was so well contrived and so skilfully managed that it was difficult for recruits or substitutes to get into the service without passing through their hands." *

During the war there was much commercial intercourse between the North and the South. Some of it was sanctioned by the Government, to be sure, but much was indirect and illicit. To permit and regulate a certain amount of commerce between the two sections Congress passed acts on July 13, 1861, May 20, 1862, and March 31, 1863; President Lincoln issued proclamations on April 19 and 27, 1861, August 16, 1861, May 12, July 1 and November 12, 1862, April 2, 1863, September 24, 1863, February 18, 1864, and November 19, 1864,† and executive orders on February 28, 1862, March 31, August 25, and November 10, 1863, and September 24, 1864;‡ and the Secretary of the Treasury issued circulars on July 3, and September 11, 1863 — all to the same regulative import.|| Cotton was the article most

* *Official Records*, ser. iii., vol. v., p. 634.

† Richardson, *Messages and Papers*, vol. vi., pp. 14-15, 37-38, 89-90, 92-93, 124, 165-166, 171-172, 216-217, 230.

‡ *Ibid*, vol. vi., pp. 109, 174-175, 177-179, 240-241.

|| Schuckers, *Life of Chase*, p. 317 *et seq.*

* *United States*, vol. iv., pp. 430-431.

desired by the North but, as explained elsewhere,* the Confederates kept it all, hoping thereby to hamper the Northern and European manufacturers so greatly that they would grant favorable terms of recognition to the newly established government. As the outcome proved, the Confederates acted unwisely in pinning their faith to cotton, for as early as the spring of 1862 a change of sentiment is noticeable, they then beginning to deem it advisable to secure their most urgently needed supplies by exchanging cotton for them. New Orleans was the great cotton mart of the South and on July 21, 1862, after its occupation by the Union forces, General Butler wrote to Reverdy Johnson that he would "assure safe-conduct, open market, and prompt shipment of all cotton and sugar sent to New Orleans, and the owner, were he Slidell himself, should have to pay for his cotton if sent here under this assurance."† On July 28, 1862, Butler informed Johnson that an Englishman desired to send cotton from Mobile to him at New Orleans in exchange for salt and other merchandise "not contraband of war, provided a pledge shall be given that the cotton shall be shipped to England."‡ Johnson replied:

"The proposal of the English gentleman I think you should not hesitate to accept. The shipment of cotton whether to Europe or to the loyal States from the rebellious States, from such of

their ports as are in the possession of our forces, is, I know, much desired by our Government. It was one of the principal advantages they expected to be the immediate results of the capture of this city. So anxious are they to attain the object that I am satisfied they would readily sanction such an arrangement as your note mentions."*

The Union Government does not seem to have made objection to this policy, but Butler experienced much difficulty in obtaining the sanction of the Confederate authorities, explaining the cause of this in the following terms:

"As you are aware, from the time that I came here I have endeavored in every possible way to open trade in cotton through the rebel lines, [but] I have not been able as yet much to succeed. The difficulty has been, as I believe, not so much with the Confederate authorities as in the peculiar relation they find themselves with their people. They instructed and advised their people to burn their cotton, and those who did so will not permit their more prudent neighbors to ship that which had not been destroyed at an enormous profit. These difficulties are gradually being smoothed over. I think now that the trade can be opened. * * * It is impossible to overrate the importance of this question of obtaining a supply of cotton to the Northern manufacturers to say nothing of the effect upon European powers."†

On August 2, 1862, Halleck wrote to Grant: "See that all possible facilities are afforded for getting out cotton. It is deemed important to get as much as we can into market."‡ But the most strenuous efforts of all the generals did not greatly increase the amount of cotton exported to Europe and the continent. The exports to Great Britain in 1861 were 1,841,600 bales; in 1862, 72,000; in 1863, 132,000;

* See vol. viii., p. 139 *et seq.*; and the following chapter.

† *Official Records*, ser. iii., vol. ii., p. 239.

‡ *Ibid.*, p. 264.

* *Official Records*, p. 284.

† *Ibid.*, vol. xv., pp. 582-583.

‡ *Ibid.*, vol. xvii., pt. ii., p. 150.

in 1864, 198,000; and in 1865, 462,000; while to the continent there were exported 60,000 bales in 1862; 36,000 in 1863; 43,000 in 1864; and 68,000 in 1865.* According to Schwab† 1,500,000 bales were exported from New Orleans during the season 1860–1861, but during the next season only 11,000, while the total exports from the South fell from 2,000,000 to 13,000 bales during the same time. For the year ending September 30, 1863, the exports from Confederate ports were valued at about \$17,000,000, of which 89 per cent. consisted of cotton intended for shipment to the British West Indies and to Cuba. During the calendar year 1863, the Liverpool cotton brokers claim that 131,776 bales were imported into England from Charleston, Wilmington, Mobile, Savannah, and Texas, and almost as much during the first seven months of 1864. During the last six months of 1864, 11,796 bales were shipped from Southern ports.

At first the overland trade with the South was conducted with a rare degree of honesty, and much of it, though against the letter of the law, was inculcable and unobjectionable. On October 4, 1862, Sherman, then in command at Memphis, wrote to Grant:

"Yesterday 40 wagons with farmers came in, each with a bale of cotton; the guerillas tried to stop them with threats but were told that their families were suffering for salt and tea and medicines, shoes, clothing, etc., all of which were abundant in Memphis. When threatened, the

guerillas were told [that] to destroy this cotton, they would have to fight, and they let it pass. Now this may or may not be true; but the bearing of the farmers, their plain simple story impressed me, and I relaxed the usual rules of trade and allowed them to carry back clothing and necessities for their families." *

A few days later he wrote that over 1,000 bales had been received in small parcels from farmers who wished to carry out to their starving families the clothing and groceries necessary to their existence. He then continued:

"Though in some cases the privilege has been and will be abused, I think it good policy to encourage it, that the farmers and property holders may realize their dependence on other parts of our country, and also realize that a state of war long continued will reduce them to a state of absolute ruin." †

In spite of the vigilance of the Union officers, however, the traffic had its sinister side, Sherman writing on August 11, 1862, as follows:

"The commercial enterprise of the Jews soon discovered that ten cents would buy a pound of cotton behind our army; that four cents would take it to Boston, where they could receive thirty cents in gold. The bait was too tempting, and it spread like fire, when here they discovered that salt, bacon, powder, firearms, percussion-caps, etc., etc., were worth as much as gold; and, strange to say, this traffic was not only permitted but encouraged. Before we in the interior could know it, hundreds, yea thousands of barrels of salt and millions of dollars had been disbursed, and I have no doubt that Bragg's army at Tupelo, and Van Dorn's at Vicksburg, received enough salt to make bacon, without which they could not have moved their armies in mass; and that from ten to twenty thousand fresh arms, and a due supply of cartridges have also been got, I am equally satisfied." ‡

This trade in cotton was participated in by the officers and men of the army||

* *Official Records*, vol. xvii., pt. ii., p. 261.

† *Ibid*, p. 273.

‡ Sherman, *Memoirs*, vol. i., p. 267.

|| *Official Records*, vol. xvii., pt. ii., p. 185.

* Hammond, *The Cotton Industry*, p. 261.

† *Confederate States of America*, p. 238.

and one Louisiana citizen was sent beyond the military jurisdiction for attempting to bribe the commanding general "to confirm him in the possession of a certain lot of cotton."* In the summer of 1862 a steamboat on the Mississippi was seized "for carrying salt down the river without permit and changing it off for cotton."† On October 9, 1862, Sherman wrote to Grant:

"My own opinion is that all trade should be absolutely prohibited to all districts until the military commander notifies the Government that the rebellion is suppressed in that district, for we know, whatever restraint is imposed on steamboats, that clerks and hands do smuggle everything by which they can make profit. The great profit now made is converting everybody into rascals and it makes me ashamed of my countrymen every time I have to examine a cotton or horse case. I have no doubt that our cause suffers from the fact that not only horses and cotton are bought of negroes and thieves under fabricated bills of sale, but that the reputations of even military men become involved."‡

On December 31, 1862, General Hovey wrote from Mississippi:

"Unprincipled sharpers and Jews are supplying the enemy with all they want. Our forces penetrated ninety miles into the very heart of Mississippi, and everywhere we were met with boots, shoes, clothing and goods purchased by open and avowed rebels at Delta and Friar's Point. The Yankees are deluging the country with contraband goods, and letters intercepted from the army show from whence they are receiving their supplies. War and commerce with the same people! What a Utopian dream!"§

On February 20, 1863, General Hurlburt speaks of the "terrible smuggling" at Memphis and says that

"bribery and corruption seem to go into every branch of the service."* On January 21, 1863, Charles A. Dana writes to Stanton from Memphis:

"The mania for sudden fortunes made on cotton, raging in a vast population of Jews and Yankees scattered throughout this whole country, and in this town almost exceeding the number of the regular residents, has to an alarming extent corrupted and demoralized the army. Every colonel, captain or quartermaster is in secret partnership with some operator in cotton; every soldier dreams of adding a bale of cotton to his monthly pay. I had no conception of the extent of this evil until I came and saw for myself. Besides, the resources of the rebels are inordinately increased from this source. Plenty of cotton is brought in from beyond our lines especially by the agency of Jewish traders, who pay for it ostensibly in Treasury notes, but really in gold."†

The effect of this intersectional trade was to hamper the movements of the Northern armies and to supply the Confederates with a great variety of necessities which they could not have obtained otherwise. On May 10, 1864, General C. C. Washburn made the following report:

"The practical operation of commercial intercourse from this city with the States in rebellion has been to help largely to feed, clothe, arm and equip our enemies. Memphis has been of more value to the Southern Confederacy since it fell into Federal hands than Nassau. To take cotton belonging to the rebel Government to Nassau, or any foreign port is a hazardous proceeding. To take it to Memphis and convert it into supplies and greenbacks and return to the lines of the enemy, or place the proceeds to the credit of the rebel Government in Europe, without passing again into rebel lines, is safe and easy. I have undoubted evidence that large amounts of cotton have been and are being brought here to be sold, belonging to the rebel Government. The past and present system of trade has given strength to the rebel army while it has demoral-

* *Official Records*, vol. xxvi., pt. i., p. 864.

† *Ibid*, vol. xvii., pt. ii., p. 178.

‡ *Ibid*, p. 273.

§ *Ibid*, vol. xvii., pt. i., p. 482.

* *Official Records*, vol. xxii., pt. i., p. 230.

† *Ibid*, vol. lii., pt. i., p. 331.

ized and weakened our own. It has invited the enemy to hover around Memphis as his best base of supply, when otherwise he would have abandoned the country. It renders of practical non-effect the blockade upon the ocean, which has cost, and is costing, so many millions. It opens our lines to the spies of the enemy, and renders it next to impossible to execute any military plan without its becoming known to him long enough in advance for him to prepare for it. The facts here stated are known to every intelligent man in Memphis. What is the remedy for these great and overwhelming evils? Experience shows that there can be but one remedy, and that is total prohibition of all commercial intercourse with the States in rebellion."*

General Daniel E. Sickles fully corroborated General Washburn in a letter of May 31, 1864, and continued:

"I would respectfully recommend that all trade with persons beyond our lines be interdicted and that commanding officers of squadrons and military districts be held responsible for the enforcement of the prohibition. * * * The effect upon our army and navy cannot be otherwise than injurious when they see a vast trade carried on with our enemies. This intercourse enriches a mercenary horde, who follow in the rear of our forces, corrupting by the worst temptations those in authority, giving aid and comfort to the enemy, and relieving that extreme destitution of the insurgent population which would operate as a powerful inducement toward the restoration of tranquillity and order."†

On December 7, 1864, General E. R. S. Canby wrote:

"If this trade is carried on in the manner and to the extent claimed by the speculators who now control it, its inevitable result, in my judgment, will be to add strength and efficiency to the rebel armies east and west of the Mississippi equivalent to an addition of 50,000 men, and will stimulate into active opposition to the successful prosecution of our operations at least 10,000 men within our own lines. * * * The rebel armies, east and west of the Mississippi, have been supported mainly during the past twelve months by the unlawful trade carried on, on the river. The

city of New Orleans, since its occupation by our forces, has contributed more to the support of the rebel armies, more to the purchasing and equipment of privateers that are preying upon our commerce, and more to maintain the credit of the rebel Government in Europe than any other port in the country with the single exception of Wilmington."*

On December 12, 1864, Lincoln wrote to Canby explaining somewhat the attitude of the Government:

"As to cotton by the external blockade, the price is made certainly six times as great as it was. And yet the enemy gets through at least one-sixth part as much in a given period, say a year, as if there were no blockade, and receives as much for it as he would for a full crop in time of peace. The effect, in substance, is, that we give him six ordinary crops without the trouble of producing any part but the first, and at the same time leave his fields and his laborers free to produce provisions. You know how this keeps up his armies at home and procures supplies from abroad. For other reasons we cannot give up the blockade, and hence it becomes immensely important to us to get the cotton away from him. Better give him guns for it than let him, as now, get both guns and ammunition for it. But even this only presents part of the public interest to get out cotton. Our finances are greatly involved in the matter. The way cotton goes now carries so much gold out of the country as to leave us paper currency only, and that so far depreciated as that for every hard dollar's worth of supplies we obtain, we contract to pay two and a half dollars hereafter. This is much to be regretted; and while I believe we can live through it, at all events it demands an earnest effort on the part of all to correct it. And if pecuniary greed can be made to aid us in such effort, let us be thankful that so much good can be got out of pecuniary greed."†

Undoubtedly it was unfortunate, that, at the outset, the President did not place the entire business under the supervision of the generals commanding the various departments, as he did

* *Official Records*, vol. xxxix., pt. ii., p. 22.

† *Ibid*, pp. 60-61.

* *Official Records*, vol. xli., pt. iv., p. 786.

† *Lincoln's Complete Works*, vol. ii., p. 616.

toward the close of the war; for neither Lincoln nor Chase had the time, knowledge, or business ability successfully to cope with a matter so intricate, and the Treasury agents demonstrated not only their impotence to manage the traffic but their liability to connive at fraudulent transactions. As Sherman said:

"As to Treasury trade agents and agents to take charge of confiscated and abandoned property, whose salaries depend upon their fees, I can only say, that as a general rule, they are mischievous and disturbing elements to a military government,* and it is almost impossible for us to study the law and regulations so as to understand fully their powers and duties. I rather think the Quartermaster's Department of the Army could better fulfil all their duties and accomplish all that is aimed at by the law."†

Rhodes says‡ that, while suspicions against two brigadier-generals were officially stated, newspaper charges were made against one major-general, and rumors were circulated implicating two others, there does not seem to be convincing evidence of the corruption of any major-general holding high and responsible position except Benjamin F. Butler, of Massachusetts, who was in command at New Orleans for some time. According to his biographer|| Butler was worth about \$150,-

000 when he went to New Orleans in 1862, but by 1868 this modest sum had grown to a fortune of \$3,000,000.*

Many contended that the prosperity of the North was fictitious, that only the speculators and Government contractors were better off than they were before the war, and that, while the laborer's cost of living had doubled, his wages has remained practically stationary. Rhodes† quotes the *Springfield Republican*:

"In many manufactories, whose profits have been augmented beyond the wildest dreams of their owners, wages are only from twelve to twenty per cent higher than they were before the war, and there is absolutely want in many families while thousands of young children who should be at school are shut up at work that they may earn something to eke out the scant supplies at home."

In the Falkner report‡ are these words:

"During the war period the advance in wages was not commensurate with the advance in prices. * * * Gold rose in value more rapidly than wages advanced, and as a result wages, measured in gold, fell off rapidly until in 1865 they stood at about one-third less than in 1860. * * * In war times teachers suffered even more than

* On Butler see also the *Diary and Correspondence of S. P. Chase*, in *Annual Report of the American Historical Association* for 1902, vol. ii.; the report of E. B. Washburne, chairman of the committee of both Houses of Congress appointed to investigate the trade with the Southern States (*Report* 24, 38th Congress, 2 session); Moorfield Storey, *The Record of B. F. Butler* (Boston, 1883); and on the cotton transactions in general Fleming, *Documentary History of Reconstruction*, vol. i., pp. 25-33, and the same author's *Civil War and Reconstruction in Alabama*, p. 284 *et seq.*

† *United States*, vol. v., p. 203.

‡ Arranged by Prof. Roland P. Falkner from statistics gathered by experts and presented to the Senate on March 3, 1893, by Nelson W. Aldrich.

* In 1865 the Federal grand jury at Mobile, Alabama, when investigating the confiscating frauds, found that in Alabama alone these agents had stolen 125,000 bales of cotton, at that time worth \$50,000,000, most of which was private property. Only two of these agents were convicted and these were penalized only \$90,000 and \$250,000 respectively.

† *Official Records*, vol. xlvii., pt. ii., p. 88.

‡ *United States*, vol. v., p. 303.

|| Parton, *General Butler at New Orleans*.

wage-earners from the decreased wages due to depreciated currency and the general social disturbance." *

Nevertheless the laborers were never out of work and the demand for them became so great that by an act approved July 4, 1864, Congress encouraged the immigration of foreign laborers. In a letter to Stanton dated December 10, 1863, a number of Boston business men stated that:

"In the free States the great numbers already drawn from the workshops and field have seriously embarrassed many branches of the industry upon which the production of the country depends.
* * * We earnestly recommend that permission should be immediately given to the loyal States to recruit soldiers in those parts of the rebel States within our control, both to fill up the white regiments now there and to create such black regiments as you may deem it expedient to authorize.†

On the whole wages seem to have remained stationary in the face of rising prices of commodities, and employers appropriated to themselves all or nearly all the profits accruing without sharing the prosperity with their employes through the medium of higher wages. At New York the price of eggs rose from 15 cents per dozen in 1861 to 25 cents in 1863, cheese from 8 to 18 cents per pound and potatoes from \$1.50 to \$2.25 per bushel, while almost all other commodities rose from 60 to 75 per cent. and, in many cases, 100 per cent. On the other hand, wages did not show a corresponding increase, thus making the situation of the laborer far worse than

before the war. The wages of blacksmiths, for instance, increased from \$1.75 to \$2 per day, of bricklayers from \$1.25 to \$2, and of common laborers from \$1 to \$1.25; while the average increase in all trades was about 25 per cent., or less than one-half the advance in prices. During the last two years of the war, however, labor recovered much of the ground lost during the first two years, and at the close of the war wages more nearly equalled prices than at any time previously. The wages of women, on the other hand, were disgraceful and showed no appreciable gain during the war; in some lines of women's work there was an actual decline. This was particularly true of the seamstresses, thousands of whom were employed in making clothing for the armies, some in the Government employ and others in the employ of contractors. An average week's wage paid by the contractors was \$1.54, while in 1861 the Government paid only 17½ cents for making a shirt, and three years later, when prices themselves were highest, only 15 cents.*

At this time women were largely employed in the industries and very often were given the places of striking men — this being another factor which tended to reduce the average of wages paid to male labor. Another disturbing element was the employment of apprentices in large numbers. When compelled to increase the wages of his

* Pp. 177, 180, 189.

† *Official Records*, ser. iii., vol. iii., p. 1162.

* Fite, *Social and Industrial Conditions*, pp. 184-186.

men, an employer would fill his shop with young boys to learn the trade, who secured very low wages or none at all. There was a tendency, too, to replace skilled with unskilled workmen, which naturally deteriorated the quality of the operatives — this being especially true of the Massachusetts cotton mills. The labor leaders were also greatly exasperated by the attitude of the employers and of the Government toward the immigration question. Foreign laborers were imported to break strikes; and the mines and railroads, suffering from the want of labor, sent private agents to Europe to secure help. Finally the Government created the office of Commissioner of Emigration and made legal in this country contracts signed in Europe by prospective emigrants, whereby the latter guaranteed to repay out of future wages all money advanced for transportation.

Still another expedient of capital to depress the wages of labor was the increasing use of labor-saving machinery, the employers seeking to dispense with the necessity of relying on manual labor, displacing it, wherever possible, with machinery. Each new device, as it proved successful, supplanted many men, and all that the laborers could do in opposition was to strike — a weapon which, in most instances, proved a costly boomerang. In 1861 the first floating grain elevator in New York harbor was put into operation. The success attending the experiment brought others into opera-

tion and in 1862 a strike against their use was declared by 2,000 Irishmen, but after the men had remained out a long time they were compelled to declare the strike a disastrous failure. Another grievance of the laborer was that, in many districts, he was paid under the order system — in whole or in part in orders on stores which, in the majority of cases, were owned by the company employing the men. This system prevailed in cotton, iron, and glass factories, and particularly in the mines of Pennsylvania. As the men could not choose their own marketing places and were forced to pay the prices asked, which invariably were high, a petition was sent to the Pennsylvania legislature which, in 1863, finally abolished the system. At the same time an attempt was made to reduce the average hours of a day's work from ten to eight, though ten hours represented a decided reduction from the common 12 to 15 hours of 1850. Mass meetings were held to demand the change and an effort was made to inject the issue into the political life of the country, but without avail. In 1869 Congress passed an act requiring only eight hours for all laborers and mechanics employed by or in behalf of the United States, but the law was not enforced at that time nor for many years afterward.

These grievances finally resulted in the organization of numerous labor organizations to compel the recognition of the rights of the laborer.

Such unions were not new* but their number had gradually diminished until, at the opening of the war in 1861, only a few local unions existed, together with a few National unions, such as the National Typographical Society, the Ship Carpenters' and Calkers' Union, the Iron Molders' International Union, and the International Union of Machinists and Blacksmiths.† This decrease was probably due to the fact that there was but little discontent in the laboring class prior to the war, but when prices began to rise, with no corresponding increase of wages, unions rapidly sprang into existence. Everywhere the labor leaders urged the men to organize, until, in New York City alone, there were at least 300 organizations. At first these were purely local in their scope, but gradually they branched out beyond the confines of a single city, with the result that in 1865 we find eleven new National organizations.‡ As a rule the unions, both local and National, were small, that of the iron molders being the largest,

having 157 local unions and about 7,000 members. The blacksmiths had 140 locals and the railroad engineers 57. The membership of the locals was small, the machinists' union of New York mustering only 500 out of 7,000 machinists in the city, and the piano-makers' union only 600 out of a possible 1,500. In many cities small trade papers were established* and in some localities coöperative stores were opened. Strikes were numerous but seldom lasted more than a few days, though there were some bitter struggles lasting from two to six weeks and even longer; two instances were the machinists of New York who remained out for more than two months, and, in Philadelphia, the same class of workmen protracted a strike for over a year. Strikes did not extend from one city to another, however, and there were no sympathetic strikes, showing that as yet labor was loosely organized. Though the laborer might have been worse off, on the whole, at the end of the war than in 1860, yet there had been some improvement, particularly after 1863. Industrial wages had advanced from the low figure of 1863; the laborer was more sure of a livelihood, and was in a better position

* For earlier Unions see title Labor, Labor Legislation and Judicial Decisions Relating to Labor in index volume.

† R. T. Ely (*The Labor Movement in America*, p. 60) claims that in 1860 there were 26 trades with National unions, but Fite (*Social and Industrial Conditions*, p. 204) says that several years of investigation have produced certain evidence of only the four above mentioned.

‡ Among them were the Brotherhood of Locomotive Engineers, organized in 1863, the Cigar Makers' International Union organized in 1864, and the International Union of Bricklayers and Masons, organized in the same year. See Coman, *Industrial History of the United States*, p. 289.

* Such as the *Workingmen's Advocate*, the *Telegrapher*, and the *Monthly Advocate* in New York; the *Daily Evening Voice* in Boston; the *Sentinel* in Buffalo; the *Woman's Journal* and *Fincher's Traders' Review* in Philadelphia; the *Iron Molders' International Journal* in Cincinnati; the *Workingmen's Advocate* in Chicago; the *St. Louis Daily Press* in St. Louis; the *Mechanics' and Workingmen's Advocate* and the *Detroit Daily Union*, in Detroit.

to lay aside something; but he was still far from the good times of the previous decade. Nevertheless a start had been made in the formation of a perfect organization that would accomplish something, it was hoped, in the not very distant future.*

It must not be imagined that the energies of the Northern people were devoted entirely to war and the pursuit of trade; during this time many movements took place looking toward better public facilities, the advancement of education and the promotion of charitable and philanthropic enterprises. In every city of the North new buildings were being erected; water, gas, sewerage and fire-alarm telegraph systems were being constructed or reconstructed; pavings and sidewalks were being laid down; and street car lines were being built. Fire departments were improved and expanded, and new parks were opened.

Chicago was literally torn up in every direction; the streets throughout the city were being raised seven or eight feet, buildings were undergoing the same process to conform to the new street level, cellars were being built under them, and drainage introduced. The statistics are imposing: 21 miles of sewers, 50 miles of water mains, and 29 miles of gas mains were constructed; 22 miles of streets were macadamized or graveled, and many miles paved; in one year over 20 miles of sidewalks were constructed; 125

miles of fire-alarm telegraphs were installed; street-car mileage was increased; and, to reach a supply of pure water, a tunnel running two miles out under Lake Michigan was begun, though not completed until after the war. In 1863 7,000 buildings of all kinds and sizes were erected and in 1864 8,000; the values of new buildings put up during the war were: 1860, \$1,118,300; 1861, \$797,800; 1862, \$525,000; 1863, \$2,500,000; 1864, \$4,700,000.* Philadelphia was almost as progressive; 45 miles of water mains and 92 miles of gas mains were laid; 1,000 new street lamps were set up; 45 miles of street railways were constructed; and in three years nearly 7,500 building permits were granted. There was a great improvement in the municipal water systems of New York, Brooklyn, Jersey City, Hartford, Cleveland, Detroit, and Louisville, while systems were completed in New Haven, Connecticut, Elmira and Auburn, New York, and Charlestown, New Bedford and North Adams, Massachusetts. In the entire country in 1861 there were 68 public and 80 private water systems.† Louisville got its first horse car and its fire-alarm telegraph in 1861; laid 12 miles of water mains; and spent in public works (streets, bridges, sewers, wharves, etc.) \$173,000 in 1860, \$21,000 in 1861, \$24,000 in 1862, \$87,000 in 1863, \$122,000 in 1864, and \$243,000 in 1865. In 1860 Baltimore laid about 10 miles of gas

* Fite, *Social and Industrial Conditions*, chap. vii.

* Fite, pp. 214-215.

† *Ibid*, pp. 216-217.

mains, though this decreased each year; laid 100,000 feet of water mains in 1860, 47,000 in 1861, 26,000 in 1862, 32,000 in 1863, and 56,000 in 1864; and on street improvements spent \$41,000 in 1862, \$42,000 in 1863, and \$132,000 in 1864. Cincinnati laid 21,000 feet of gas mains in 1861, 12,000 in 1862, 22,000 in 1863, and 14,000 in 1864; spent \$93,000 on her streets in 1860, \$78,000 in 1864, and \$110,000 in 1865; and built a fire-alarm telegraph.*

Building operations were extensively prosecuted in Chicago, Philadelphia, New York, Brooklyn, San Francisco, Boston, Springfield, and Lynn, Massachusetts; and in the leading cities of Ohio. In San Francisco 2,000 buildings were erected in 1864–1865; in Brooklyn more than 2,500 in the same years; in New York 2,250 in 1860–1861; 1,247 in 1863; 733 in 1864, and 1,190 in 1865; in Boston 997 in 1860, 490 in 1861, 357 in 1862, 383 in 1863, 294 in 1864, 287 in 1865, and 414 in 1866; and in Ohio about 26,000 in 1858–1860, 24,000 in 1861–1863, and 24,000 in 1864–1866.† One deterrent to building operations was the high price of materials, the cost of which advanced more than 100 per cent. in many cases and in some instances even more. Conspicuous among the edifices erected were churches, 23 of which were built in New York in three years, 13 in Philadelphia in two years, and 15 in Chicago. As a rule the dwelling houses were of frame and had many

conveniences, such as bathrooms, and hot air, hot water and steam furnaces. Business houses rarely went over six stories in height and the office buildings had no elevators. In 1861 the first passenger elevator in the world (“Tuft’s vertical railway”) was installed in the Fifth Avenue Hotel, New York.*

In 27 cities the streets were dug up and street cars started for the first time: Portland, Worcester, Lynn, Somerville, Lowell, Beverly, Salem, Providence, New Haven, Hartford, Norwalk, Troy, Albany, Rochester, Utica, Hoboken, Paterson, Trenton, Wilmington, Harrisburg, Washington, Toledo, Columbus, Indianapolis, Detroit, Louisville, and San Francisco. Philadelphia laid down the greatest mileage, 45, New York being second with 30 miles. Horse cars were introduced on Fourth Avenue, New York, for the first time in any city in the world in 1831; they began to run there permanently in 1852, in Boston in 1856, in Philadelphia two years later, in Chicago, St. Louis, Baltimore and Cleveland in 1859, and in Syracuse, Buffalo, and other cities in 1860. There were so many taxes for other things, particularly the war, that little money could be afforded for street improvements, though Chicago and San Francisco were notable exceptions, the latter city expending \$308,168 in 1860–1861 and more each year until 1864–1865 when \$1,159,257 was spent.

* Fite, p. 231.

† *Ibid.* pp. 224–225.

* Depew, *One Hundred Years of American Commerce*, vol. i., p. 152.

Filthy streets became common because contractors, who had agreed to clean the streets for a certain sum in gold, refused to complete their contracts when prices were higher, when gold was quoted at a lower figure, or when payments were offered in depreciated paper money. As a result the streets of Philadelphia, New York, and other cities remained uncleaned for weeks and months, thus accentuating the usual unsanitary conditions and increasing the tendency to epidemics of infectious diseases.*

The park systems of the cities were insignificant. New York was gradually developing Central Park, 843 acres in extent, the average annual expenditure being \$400,000. Brooklyn was spending \$1,000,000 on her recently acquired Prospect Park, while Philadelphia was neglecting Fairmount Park. Chicago, Baltimore and Boston boasted of parks, but there were none in St. Louis.†

A lively interest was manifested in education in the North throughout the war. Vassar College, the first college in the United States devoted exclusively to women, endowed by Matthew Vassar with a gift of \$400,000, and the Massachusetts Institute of Technology, founded by the State, opened their first buildings toward the close of the war. Ezra Cornell founded Cornell College by the gift of \$500,000 and 300 acres of land at Ithaca, New York; Judge Asa Packer gave

the same sum and a large tract of land for a college at South Bethlehem, Pennsylvania, which later became known as Lehigh University; and the munificence of Quaker philanthropists made possible Swarthmore College, at Swarthmore, Pennsylvania. Other institutions established were Bates College, Lewiston, Maine; Boston College, Boston, Massachusetts; Manhattan College, New York City; Wallace College, Berea, Ohio; Wilberforce University, Wilberforce, Ohio; Hope College, Holland, Michigan; Ripon College, Ripon, Wisconsin; Kansas State University, Lawrence, Kansas; Lane University, Lecompton, Kansas; and University College, San Francisco, California; besides two divinity schools in Philadelphia, and one each in Ohio and Illinois. On the eve of the war Joseph E. Sheffield founded Sheffield Scientific School in Yale College; new halls and buildings were erected and professorships established in a large number of institutions; and huge sums were added to endowments. The war seriously affected the college attendance, almost every institution showing a decrease, Yale from 521 to 438; Harvard from 443 to 385; Columbia from 201 to 150; Union from 390 to 294; Amherst from 220 to 212; Brown from 232 to 185; Williams from 238 to 182; Princeton from 312 to 221; Dartmouth from 275 to 146; and Bowdoin from 199 to 132; while Michigan advanced from 255 to 295; Notre Dame from 111 to 364; and St. Francis

* Fite, pp. 218-222.

† *Ibid.*, p. 224.

Xavier, New York City, from 293 to 570. As a rule, the professional schools flourished. The law school of the University of Michigan increased its attendance from 90 to 260 and the medical department from 164 to 414; the Columbia medical school increased from 260 to 465, and the law school from 101 to 158. The war was chiefly responsible for the decline in the attendance, large numbers of Southern students withdrawing at the opening of the war and numbers of those remaining volunteering in the Union armies. Princeton lost about 100 Southern students, Harvard 63 and Yale 33. Harvard College proper sent 529 men to the war and Yale 757. The 100 days' movement seriously affected the western colleges, particularly the small ones; practically all of the students of Iowa College enlisting, all but two from Shurtliff College, compelling the closing of that institution, the entire senior classes of Illinois and Beloit, and large numbers from Wisconsin. Oberlin sent 700 alumni and students; Wabash 275; Bowdoin 248; Williams 200; Madison University (now Colgate) 110; Beloit 33; and Iowa 65.

Of female colleges, or ladies' seminaries, there were many; the Methodist Church provided 126 of these institutions, while in Ohio alone there were 23. The progress of the newly created high schools was retarded by the war, for boys of school age considered themselves old enough to enlist in the army or to take the place of

the older male members who had volunteered. Hence there was practically no increase in the attendance of pupils of this grade. In the elementary grades, however, the attendance grew rapidly, almost doubling in Chicago — from 16,000 to 29,000, and the teachers from 160 to 240. In Philadelphia the pupils increased from 63,000 to 74,000, and the teachers from 1,097 to 1,278; in Brooklyn 51,000 to 55,000 and 486 to 581 respectively; and in New York from 148,000 to 216,000. The teaching force changed rapidly, women supplanting the men in the work of the lower grades. The following figures show the change:

State.	Men.		Women.	
	1860.	1865.	1860.	1865.
Illinois.....	8,223	6,170	6,485	10,843
New York.....	8,224	4,452	18,139	21,181
Michigan.....	2,599	1,317	5,344	7,428
Pennsylvania.....	8,170	5,641	4,843	8,645

Night schools were well patronized, having 20,000 students in New York, 8,000 in Philadelphia, and 1,500 in St. Louis.* Equally popular were the business colleges. The Eastman Business College, established at Oswego in 1853, was moved to Poughkeepsie in 1861, and in 1865 had 42 teachers and 1,300 students. Four States (Massachusetts, New York, Pennsylvania, and Ohio) had normal schools when the war opened, and during the next four years six States established them — Maine, Maryland, Indiana, Kansas, Wisconsin, and California. There

* These schools were first organized in Providence, Rhode Island, in 1842, in New York in 1847, in Philadelphia in 1851 and in Chicago in 1863.

were teachers' associations, which, with few exceptions, met regularly every year. The American Institute of Instruction, founded in 1830, did not miss a single meeting, but the National Teachers' Association, founded in 1857, omitted two. In 1865 the National Association of School Superintendents was organized.*

With the increase of prosperity during the last two years of the war came greater gayety and a larger attendance at places of amusement. Early in 1864 F. W. Seward described Washington as follows:

"Gayety has become an epidemic in Washington this winter, as gloom was last winter. There is a lull in political discussions; and people are inclined to eat, drink and be merry. The newspapers can furnish nothing more interesting to their readers than accounts of parties, balls, and theatres, like to so many court journals. Questions of etiquette are debated with gravity. People talk of 'society' who never before knew or cared about it. A year ago the Secretary of State was 'heartless' or 'unpatriotic' because he gave dinners; now the only complaint of him is that he don't have dancing. It is a sign of a changed state of feeling everything, that all the Northern cities have given up mourning and grumbling and are devoting themselves to festivities and fairs."†

On November 3, 1863, the *London Times* said:

"This war has brought the levity of the American character out in bold relief. There is something saddening, indeed revolting, in the high glee, real or affected, with which the people look upon what ought to be, at any rate, a grievous national calamity. The indulgence in every variety of pleasure, luxury, and extravagance is simply shocking. The jewelers' shops in all these cities have doubled or trebled their

trade; the love of fine dresses and ornaments on the part of the women amounts to madness. They have the money, well or ill gotten, and must enjoy it. * * * There may be a great deal of empty bravado, of bluster and swagger, in all this apparent indifference to undeniable suffering, but it makes no pleasing impression on a sensitive stranger."

Never were the theatres more crowded than at the very height of the war, and they remained so until the end, save for short periods of depression following a disastrous defeat of an army. Edwin Forrest and Edwin Booth never failed to attract crowds, while James H. Hackett, Laura Keane, Mrs. John Drew, and Joseph Jefferson were everywhere popular. Negro minstrels played to packed houses, and three theatres in New York, two in Philadelphia, and single ones in other cities were devoted exclusively to the blackened comedians. Grand opera enjoyed its share of prosperity. In the winter of 1863-1864 four leading opera companies toured the country; one company, Maretzek's Italian Opera Company, performed for nearly three months in New York and for shorter periods in Boston, Philadelphia, Baltimore and Washington. Another diversion was the exhibition of the dwarfs Tom Thumb (Charles Sherwood Stratton) and his three companions, Thumb's marriage in Grace Church, New York, to Miss Lavinia Warren being one of the social events of the season of 1863. Barnum's museum and Van Amberg's menagerie contributed further to the gayety of New York.

* Fite, *Social and Industrial Conditions*, chap. ix.

† *Life of Seward*, vol. iii., p. 207; Julian, *Political Recollections*, p. 371.

Probably the greatest sporting interest was aroused by horse-racing. Prior to the war this sport was carried on chiefly in the Southern and border States, but when the sections became arrayed against each other, racing was revived in the North. The Chicago Driving Park was soon opened, as were others in Washington and Boston. The stakes were high, \$20,000 being offered at the Laclede races in St. Louis, \$5,000 at the Hartford Driving Park, \$10,000 at the Union Course on Long Island, and other similar purses at Louisville, Chicago, Philadelphia, Paterson, Saratoga, Boston, and Washington. The enormous crowds attending the meets attest to the popularity of the track. There were also championship billiard matches at \$1,000 a side, championship chess matches and the annual regattas of the yacht clubs.* Baseball, though

played for many years, was unorganized and received little public attention; it was new in the colleges, and was introduced at some institutions after the war began. Football was not the spectacular game of the present, but resembled, rather, a free-for-all fight. The popular college sport was boating, and there was keen rivalry between Harvard and Yale for the racing championship. In 1855, 1859, and 1860 the races were won by Harvard;* in 1861, 1862, and 1863 no races occurred; and in 1864 and 1865 Yale emerged victorious.†

There were many protests at the thoughtlessness and levity of the people. On February 20, 1864, the *Springfield Republican* contained the following:

"I have been deeply afflicted over the sufferings of our boys, but have come to the conclusion that a soldier in the Army of the Potomac does not endure a severer strain on his constitution than a woman in 'society' in Washington. I don't believe that he is as utterly worn out at the end of a march as she at the close of a week of the 'season.' Think of it, shopping, dressing, calling, all day; parties, dancing, late suppers, late sleep, repeated week after week. If she is a good woman, trying to satisfy the demands of her conscience, as well as the claims of society, she visits

* In 1851 the *America*, representing the New York Yacht Club, went to England and won the race for the Royal Yacht Squadron cup, valued at \$100. Mr. G. A. Cormack, secretary of the New York Yacht Club, has kindly given us the following summary of her history since that time. In 1851 she was sold by Commodore Stevens to Lord John de Blaquiere, an officer of the Indian Army, and raced from 1851 to 1852. She was then sold to Lord Templeton and was laid up at Cowes from 1854 to 1859 when she was purchased by the owner of Northfleet Yard and practically rebuilt. In 1860 she was sold to H. E. Decie, renamed *Camilla*, cruised to the West Indies, and raced in England. In 1861 an unknown person of Savannah, Georgia, purchased her for the use of the Confederacy as a blockade runner under the name *Memphis*. In April of 1862 she was found sunken in the St. John's River by the Union gunboat *Ottawa*, was raised, her old name restored, and turned over to the Government for the use of the midshipmen at Anna-

polis. There she remained for a number of years, taking part in the international races of 1870. On August 26, 1870, she was sold at auction to General B. F. Butler, was rebuilt in 1880, and again visited the West Indies in 1881-1882. Under Butler's ownership she took part in many important events, winning several races, and under her present owner, Hon. Butler Ames, has participated in club regattas and cruising runs.

*At a citizens' regatta, the day after the regular boat race, Yale won.

† *The World Almanac* (annual) gives the record complete, with time. On the times in general see Fite, *Social and Industrial Conditions*, chap. x.

hospitals, works for the fair, collects money for the soldiers, devotes at least some time to husband and children. Is it any wonder that at the close of a season she is thin, and yellow, and sick, and thinks Washington a horrid place?"

A correspondent of the *Boston Journal*, writing from Saratoga, New York, says:

"It makes one's heart sick to see the folly which reigns triumphant. Dancing, dressing, and flirtation are the chief diets of men, women, and children (if there be such creatures as the latter nowadays). One would hardly think after gazing on a \$4,000 dress 'just from Europe,' on a woman professing to be a patriotic American, that the Sanitary Commission was in need of stores and that the country's heart was being torn asunder. * * * Honest men may make money out of the government, but no man who has any respect for himself or regard for his country will revel at Saratoga when the times demand sobriety and economy. What the women spend in dress, the men spend in 'liquoring up,' until they can't stand, in horses and in gambling. * * * Surely we are improving on the morals of our Puritan fathers."

William Cullen Bryant also lifted his voice in opposition in the *New York Evening Post*:

"Extravagance, luxury, these are the signs of the times; are they not evidence of a state of things unhealthy, feverish, threatening to the honest simplicity of our political life? * * * What business have Americans at any time with such vain show, with such useless magnificence? * * * Is there nothing worthier than personal adornment in which to invest their means? Are there no enterprises open to these men of fortune which would benefit the country and their fellows as well as themselves? One man spends two hundred thousand dollars on a dwelling house; but he might build with this sum a long row of decent cottages to rent to people in moderate circumstances; he might enable fifty or one hundred families of workmen to live cleanly and respectably in New York, and thus make himself a public benefactor, and that without sinking his money where he can never recover it. Or instead of dressing a few children in silks and jewels, and robbing them of the freshness and charm of youth by these vanities, why not spend

the money in sending the homeless children of the city to comfortable farm houses in the West, where they will be trained to industry and virtuous conduct, and grow up good citizens?"

One of the few pleasant phases of the war was the manner in which the women of both sections of the country responded to the call from the armies for aid. The war had hardly begun when meetings of women were held at various places in the North to discuss methods of relief work. Late in April of 1861 Dr. Henry W. Bellows, a prominent Unitarian clergyman, attended a conference in New York City, the result of which was the issuance of a call signed by 92 ladies for a meeting at Cooper Institute. At this gathering was formed the Women's Central Association of Relief, which constituted the nucleus of the United States Sanitary Commission. Realizing the frightful mortality among troops who were surrounded by unsanitary conditions, the organization petitioned the Government for official recognition and finally, on June 9, 1861, obtained it when an order was issued by the Secretary of War, with Lincoln's approval, constituting the organization as "A Commission of Inquiry and Advice in Respect of the Sanitary Interests of the United States Forces." The Commission was to serve without pay and was "to ascertain the sanitary condition of volunteers, to suggest means to preserve and restore health, and to insure the general comfort and efficiency of troops such as proper cooks, nurses,

hospitals, etc., and to correspond freely with the War Department and the Medical Bureau." Dr. Bellows was chosen president and Frederick Law Olmsted general secretary. At first the Medical Bureau assumed a cold and hostile attitude toward the Sanitary Commission, but on April 16, 1862, an act was approved "to reorganize and increase the efficiency of the Medical Department of the Army," and this, combined with the tactful work of Olmsted, soon won hearty approval from the medical officers, until the Commission became "a great machine running side by side with the Medical Bureau wherever the armies went." The relief system was divided into general and special relief, the first attending to the wants of the inmates of general, field, and regimental hospitals, and of men in camp and on the march; the second caring for the sick and needy at military depots, discharged men, paroled prisoners, and irregulars. The various agents of the Commission were paid a moderate salary, it being found best not to rely on volunteer agents. With each army was a medical inspector, relief agents, wagons and horses, transports, if necessary, and a supply depot at the base.

The enormous amount of work entailed may be judged by the reports of killed and wounded in action and of those who died or were disabled by disease.* When the Sanitary Com-

mission entered upon its work, it found in the army camps inefficient drains and police duty, overcrowded tents, offensive sinks, personal uncleanness, poor and filthy clothing, badly cooked food, and a scarcity of green vegetables. By persistent efforts these deficiencies were remedied to a great extent. Supply depots were opened at New York, Boston, Philadelphia, Washington, and other cities, and the aid societies were requested to give whatever help was in their power, with the result that about

more (*Numbers and Losses*, pp. 6-8) says that from 1861 to 1865 the killed in battle numbered 67,058, the deaths from wounds 43,012, and deaths from disease and accident 249,458. Phisterer (*Statistical Record*, pp. 67-76) quotes the reports of several bureaus as follows: Provost-Marshal-General James B. Fry, in a report to the Secretary of War on March 17, 1866, gives the losses as 61,362 killed, 34,773 died of wounds, and 183,593 died of disease or accident. The Adjutant-General reports on February 7, 1869, that 44,238 were killed in battle, 33,993 died of wounds, 149,043 died of disease, 11,845 of other known causes and 55,297 of unknown causes. According to the Surgeon-General's report of November 12, 1870, 35,408 were killed in action, 49,205 died of wounds and 186,216 died of disease. Phisterer concludes that the following figures would be as nearly correct as it is possible to come: killed in battle 44,238; died of wounds and injuries 49,205; suicide, homicide and execution 526; died of disease 186,216; died of unknown causes 24,184; total 304,369. There were 6,049,648 cases treated by the medical officers in the army hospitals, of which only 185,353 resulted in death. None of these figures embrace those who died of wounds or disease while prisoners of war or on furlough, leave of absence, or absent without leave. The figures given by General Marcus J. Wright, in the *Photographic History of the Civil War*, vol. x., pp. 142, 144, 148, differ widely from those given above. For many of the battles there were no reports for the Confederate side, and the official records are not complete for many others.

* These figures vary so greatly that we give those which should be most nearly correct. Liver-

\$15,000,000 worth of supplies were furnished during the war. Through the efforts of the Commission the soldiers were permitted to commute their rations, selling to the Government the surplus foods that otherwise would have been wasted, the money secured in this way being used to purchase fresh vegetables, milk and butter.

After the battle of Murfreesboro and at Vicksburg and other places, scurvy broke out among the troops. The Government could not obtain potatoes, but the Sanitary Commission, through its "potato and onion circulars" to farmers, secured an immense quantity of potatoes and green vegetables and saved many lives. Vegetable gardens, worked by contrabands and convalescents, were established at Nashville, Knoxville, Newbern, and Chattanooga, potatoes, lettuce, squashes, okra, etc., being raised.* The battle of Antietam was the first great battle where the organization of the Sanitary Commission told. Chloroform, opiates and medical stores were supplied, and within a week there were furnished "28,768 shirts, towels, bed ticks, etc.; 30,000 pounds of bandages and lint; 3,188 pounds of farina, 2,620 pounds

of condensed milk, 5,000 pounds of beef stock and canned meats, 3,000 bottles of wines and cordials, and several tons of lemons, fruit, crackers, tea, sugar, rubber cloth, tin cups, and hospital conveniences."

Before the war the Government had no general hospital, only tent hospitals, the largest containing 40 beds. Under the suggestion of the Sanitary Commission well-equipped general hospitals in pavilion form were built under the direction of the Medical Department, which was also to arrange for the transportation of the sick and wounded and attend to their diet. But the Government could not handle this work properly and much of it devolved on the Sanitary Commission, which also operated during the war more than 30 ambulance cars, carrying to the hospitals in the East about 100,000 men and in the West 125,000, the railroads conveying the cars free.

The Commission performed much work not contemplated upon its organization. A special relief service was organized to care for men on their way to and from the front, 40 "homes," "rests" and "lodges" being established for this purpose. The inmates were kept under surveillance that no danger might befall them; their passage home was paid when necessary. This branch also established feeding stations, where hot soup and coffee were always ready, and cared for discharged prisoners at parole camps and the motley crowd of substitutes, stragglers, deserters, etc.,

* It must be remembered that the canning industry was then in its infancy and that canned vegetables, with few exceptions* were not to be had, although desiccated vegetables were used by some extent. William Underwood and Company, of Boston, furnished the Navy Department with a considerable quantity of canned tomatoes and canned roast beef, besides pickles and curried cabbage. See the note in Rhodes, *United States*, vol. v., p. 249.

at convalescent camps, affording them comforts, information, and opportunities to communicate with their families. In 1864 an Auxiliary Relief Corps was organized to care for the sick and wounded sent to the depot field hospitals in the rear of large armies and also for those left behind by an army on the march. It furnished food, stimulants, underclothing, and reading matter, communicated with the soldiers' friends, obtained express packages, and in many instances provided Christian burial. The Commission distributed sanitary tracts, prepared by experts, to the army surgeons, and these were largely reprinted in the newspapers with obvious effects. A hospital directory was established with branches in various cities to record entrances, transfers and dismissals. Nurses and physicians were supplied in emergencies.

It was difficult at first to raise sufficient money for preventive measures. In 1861 and 1862 the people of the North were poor and money came in slowly; up to October 1, 1862, the receipts amounted only to \$170,000. But at a critical time in 1862 California saved the Commission by a generous contribution of \$100,000 in one sum, and thereafter gave liberally to the work. Later, when the work broadened, railroad, telegraph and express companies gave their services and the people furnished an abundance of funds. In the autumn of 1863 and afterward "sanitary fairs" were

held in the principal Northern cities, and in this way \$2,736,000 were raised. The cash receipts of the Commission up to May 1, 1866, were \$4,962,014.26 and of branch treasuries nearly \$2,000,000, over one-fifth of the total amount coming from California. Thus the women of the North contributed their portion to the success of the war and in giving due recognition to them we cannot do better than quote Lincoln's words at one of the fairs:

"This extraordinary war in which we are engaged falls heavily upon all classes of people, but the most heavily upon the soldiers. For it has been said, all that a man hath will he give for his life; and while all contribute of their substance, the soldier puts his life at stake, and often yields it up in his country's cause. The highest merit then is due to the soldier. In this extraordinary war, extraordinary developments have manifested themselves, such as have not been seen in former wars; and amongst these manifestations nothing has been more remarkable than these fairs for the relief of suffering soldiers and their families. And the chief agents in these fairs are the women of America. I am not accustomed to the use of language of eulogy; I have never studied the art of paying compliments to women; but I must say, that if all that has been said by orators and poets since the creation of the world in praise of women were applied to the women of America, it would not do them justice for their conduct during this war. I will close by saying, God bless the women of America." *

* Lincoln's *Complete Works*, vol. ii., p. 500. On the Sanitary Commission and its work, see also C. J. Stillé, *History of the United States Sanitary Commission*; J. M. Forbes, *Letters and Recollections*, vol. i.; Katherine P. Wormeley, *The Other Side of War*; the article *Sanitary Commission* by Dr. Bellows, in Johnson's *Universal Cyclopædia*; the article *United States Sanitary Commission* by Jerome Walker, M. D., formerly relief agent, in *Encyclopedia Americana*; the medical and statistical memoirs of the Commission; Rhodes, *United States*, vol. v., pp. 244-259; Fite, *Social and Industrial Conditions*, pp. 275-284.

Another benevolent undertaking of a similar nature was the United States Christian Commission, originated on November 16, 1861, at a convention of the Young Men's Christian Associations of the Northern States, for the purpose of promoting the spiritual welfare of the Federal soldiers, sailors, marines, etc., while alleviating, comforting, and humanizing their temporal needs. To select, commission and send forth persons to act as delegates was a most important and delicate duty. On the one hand, these persons represented the Commission and the Christian and patriotic sentiment of the people; and, on the other, had to accommodate themselves to the rules of the military and their work to the officers in charge, and minister acceptably to the physical, mental, and religious wants of the men. During the war 4,859 delegates were commissioned and they did much to relieve the "intolerable ennui" of camp life. The Government gave the Commission its warm approval and every possible facility for carrying on its operations; transportation and telegraph companies assisted, and the American Bible and Tract societies donated for distribution thousands of their publications. It distributed 466,000 copies of Bibles, Testaments and portions of Scripture, 8,000,000 copies of knapsack books, such as Newman Hall's *Come to Jesus*, over 1,000,000 hymn and psalm books, 39,000,000 pages of tracts and 18,000,000 religious news-

papers. The better class of magazines were bought at half-price and sent to the soldiers, free reading rooms were established in the camps, and State and county newspapers were kept on file; "soldiers' free writing tables" were maintained where paper and envelopes and even postage stamps might be obtained free; chapels for religious worship were established in which 136,152 sermons were preached and prayer meetings held; and in numerous cases, the wounded were cared for and furnished with food, hot coffee and stimulants. The cash receipts of the Commission during the war were \$2,524,512; the value of the stores donated was \$2,839,445; and the value of the publications donated was \$300,000. According to Moss the general summary of receipts and values for 1862 to 1865 was \$6,291,000.*

Numerous other charities were generously supported. Before the end of the war Congress had established a soldiers' home at Washington and a home for naval men at Philadelphia; several States provided homes; and many State and local asylums for the orphans of soldiers were erected. Contributions of all kinds poured in for the dependent families of killed or disabled soldiers, the donations comprising everything from firewood to flour, farm produce, and money.

* Moss, *Annals of the United States Christian Commission*. See also *United States Christian Commission—Facts, Principles and Progress; Memorial Record of the New York Branch of the United States Christian Commission*.

To aid the negroes many local freedmen's aid societies were formed, which united themselves into the National Freedmen's Relief Association of New York, the Friends' Association for the Relief of Colored Freedmen of Philadelphia, the Western Freedmen's Aid Commission of Cincinnati, and others, which in 1865 were combined into the American Freedmen's Aid Commission. Large sums were contributed to relieve the distress among the Southern white loyalists, the American Union Commission being formed to harmonize the work of local societies.

The ordinary charities flourished as formerly, and continued their work. The first deaf and dumb asylum was founded at Hartford in 1817, another in New York in the same year and one each in Pennsylvania in 1820, in Ohio in 1829, in Kentucky in 1830, and in Virginia in 1839. In 1860 there were 23 of these asylums with 130 teachers and 2,000 pupils. The first asylum for the blind was built at Boston in 1833 and in the same year one each was erected in New York and Philadelphia. By 1860 the number had increased to 23, with 1,000 pupils. In 1751 the first insane asylum in America was built at Philadelphia;* between 1820 and 1860 more than 40 were erected. Free medical dispensaries were maintained; Boston and Philadelphia erected magnificent hos-

pitals, and James H. Roosevelt left \$900,000 for a similar institution in New York. The Children's Aid Society of New York received homeless newsboys in its Newsboys' Lodging House and homeless girls in its Girls' Home, instructed thousands of children in its industrial schools, and sent other thousands to the country to regain health or to the West for adoption into private homes.

The church missionary societies reported continued activity and increased donations. The receipts of the American Bible Society of New York rose from \$389,000 in 1860-1861 to \$677,000 in 1864-1865, and the number of Bibles distributed from 700,000 to 1,300,000. The American Tract Society of New York received \$93,000 in 1861 and \$126,000 in 1865; in the former year it issued 6,700,000 pages of tracts and in the latter 109,000,000 pages. The work of the American Sunday-school Union was scarcely interrupted by the war; in 1859 it established 2,091 new Sunday-schools and helped 3,701; in 1864 its missionaries established 1,124 new schools and aided 5,236. The home missionary societies of the various churches extended their missionary efforts, until, at the close of the war, there were approximately 4,000 home missionaries of all denominations at work in the North.

Contrary to the opinions of some, crime seemed to diminish during the war, judging by the statistics of the penal institutions. The penitentiaries

* Regarding this point see vol. ii., p. 169 of this History.

of New York held over 2,600 prisoners in 1860 but only 1,900 in 1865; the Massachusetts State prison received 509 prisoners in 1860 and only 376 in 1864, while in the county prisons of the State the number fell from 1,700 to 1,100. The Pennsylvania prisons held 21,585 prisoners in 1860 and only 14,000 in 1864. This diminution is perceptible in most of the other States, even though the population in the cities was increasing; but the nature of the crimes committed grew more bestial. It was when the soldiers returned from the war and before they had secured employment that the prisons filled up. In 1865 the number of arrests exceeded by 14,000 the number during 1864; in 1866 the State penitentiaries received 700 more prisoners than in 1864.*

Conditions in the South were exactly the reverse of those in the North.† The people of that section began to feel the pinch of the war as early as 1862. In July of that year Mrs. Jefferson Davis reports that, when gold was \$1.50, beef and mutton sold in Richmond for 37½ cents per pound, tea for \$5 per pound, potatoes for \$6 per bushel and boots for \$25 per pair. In 1864 when gold was \$22 (in Confederate money) a turkey sold for \$60, flour was \$300 per barrel, and

shoes were \$150 per pair.* In the last days of the war the Confederate money had so far depreciated that \$60 of it were needed to buy \$1 in gold; beef brought \$6 a pound and flour \$1,000 a barrel; the weather was extremely cold and wood was \$5 a stick.† Many necessities had to be given up and among those, the loss of which were felt most keenly, were tea and coffee. The hospitals for a while used coffee as an "article of diet for the sick," but in December of 1863 it was ordered that it be used "solely for its medicinal effects as a stimulant."‡ In Columbia ice was sold only for the sick and on a physician's certificate; salt was so scarce|| that the State governments offered rewards for the

* Rhodes, *United States*, vol. v., p. 349. See also Schwab, *The Confederate States of America*, pp. 171-180. 312. On December 5, 1863, Mary B. Chesnut entered in her diary (*Diary from Dixie*, p. 262): "Spent seventy-five dollars to-day for a little tea and sugar, and have five hundred left. My husband's pay has never paid for the rent of our lodgings." Yet on January 8, 1864, she attended a charade party at which the supper consisted, among other things, of "ices, chicken salad, oysters, and champagne" (p. 274.) On June 1, 1864, she gave \$800 for two pounds of tea, 40 pounds of coffee and 60 pounds of sugar (p. 312). De Leon (*Four Years in Rebel Capitals*, p. 233) says that when beef, pork, and butter in Richmond reached \$35 per pound, when common cloth was \$60 per yard, shoes \$200 to \$800 per pair, and a barrel of flour worth \$1,400, then, indeed, it became a difficult problem to fill one's stomach at any outlay.

† Jones, *A Rebel War-Clerk's Diary*, vol. ii., pp. 383-386. Regarding prices see also Smedes, *A Southern Planter*, p. 224; Garner, *Reconstruction in Mississippi*, p. 49; Schwab, *Prices in the Confederate States*, in *Political Science Quarterly*, vol. xiv., p. 281 (June, 1899).

‡ *Official Records*, ser. iv., vol. ii., p. 1021.

|| *Ibid*, vol. lii., pt. ii., p. 384.

* Fite, *Social and Industrial Conditions*, chap. xi.

† The history of Confederate finances and the economic activities of the Confederacy in industry and trade are told in previous pages (vol. viii., pp. 118-123, 139-146) and will not be duplicated here. See also the following chapter.

discovery of salt springs, embarked in its manufacture, and finally made regulations for its distribution to the public.* Common medicines disappeared, attempts were made to substitute other articles for quinine, morphia and other medicines, and a large amount of smuggling was carried on to obtain medicines for the Confederate armies.†

The high prices and deficiency of clothing and shoes inconvenienced all, and home-spun clothing began to be made and worn. In a message of January 12, 1863, Davis said: "In the homes of our noble and devoted women, without whose sublime sacrifice our success would have been impossible, the noise of the loom and of the spinning wheel may be heard throughout the land."‡ Kid gloves were rarely seen;|| the destruction by

Northern armies of Southern factories making coarse woolen and cotton cloths compelled the abandonment of the weaving of homespun; cowhair was substituted for wool; blankets were made from the long moss of the seaboard; and moccasins and sandals began to supplant shoes. The shortage of coal affected the gas companies of many cities and rigid economy was practised. In October of 1862 the Richmond gas company stopped lighting the street lamps and apparently did not resume it until the following spring. The quality of the gas furnished was poor even though the price had risen to \$50 per thousand feet. Paper became so scarce that the newspapers were gradually reduced in size and the citizens were urged to send their accumulated rags to the paper manufacturers. The supply of metals finally became so short that patriotic citizens offered to contribute their lead window weights to the government for war purposes, and church bells were proffered that their metal might be melted and cast into cannon.*

In 1862 a severe drought produced a serious shortage in the cereal crops, many failures of certain crops being reported from various parts of the South. The prices of articles of food became so exorbitant that poor citizens could not touch them.† Texas escaped the destruction which fell upon the rest of the South and conse-

* Schwab, *Confederate States of America*, pp. 267-268.

† Rhodes, *United States*, vol. iii., pp. 544-545; vol. v., pp. 352-353.

‡ *Official Records*, ser. iv., vol. ii., p. 350. In this connection see also J. L. Underwood, *The Women of the Confederacy* (1908); David Dodge, *Domestic Economy in the Confederacy*, in *Atlantic Monthly*, vol. lviii., p. 229 (August, 1886); Mary A. H. Gay, *Life in Dixie during the War, 1863-5* (1892); A. C. Gordon, *Hard Times in the Confederacy*, in *Century Magazine*, vol. xxxvi., p. 761 (September, 1888).

|| On March 7, 1864, Mary B. Chesnut enters in her diary (p. 294): "Paid \$30 for a pair of gloves, \$50 for a pair of slippers, \$24 for six spools of thread, \$32 for five miserable, shabby little pocket handkerchiefs." On Mar. 15 (p. 299) she speaks of purchasing a mourning outfit which cost \$375 and consisted only of a black alpaca dress and a crepe veil. With bonnet, gloves and all it came to \$500. "Before the blockade such things as I have would not have been thought fit for a chamber-maid."

* Rhodes, *United States*, vol. v., pp. 356-358.

† *Official Records*, ser. iv., vol. ii., pp. 251, 350, 376, 404, 413, 460.

quently Louisiana and other contiguous sections of the country did not suffer as much as the eastern States. On May 4, 1863, Dana wrote to Stanton from Grand Gulf: "As soon as Sherman comes up and the rations on the way arrive, he will disregard his base and depend on the country for meat and even for bread. Beef-cattle and corn are both abundant everywhere. The enemy is not suffering for want in the least."*

The high prices were said to be due to speculators and extortioners.† In a message of November 17, 1862, to the North Carolina legislature, Governor Vance said:

"The demon of speculation and extortion seems to have seized upon nearly all sorts and conditions of men, and the necessities of life are fast getting beyond the reach of the poor. Flour, which if properly left to the laws of supply and demand could not have risen to more than double peace rates, can now be used only by the rich. Everything has a tendency upward in the same proportion. Leather, woolen cloth, and cotton goods have been made the special means of extortion."‡

Efforts were made to fix by law the maximum price for leading commodities. When martial law was declared in 1862, the military authorities fixed the limit of prices for articles of necessity like beef and pork, bacon, flour,

meal, coffee, sugar, and salt. By an act of February 6, 1863, South Carolina attempted to forbid extortionate prices by the threat of fines and imprisonment. North Carolina laid an embargo on certain articles of prime necessity.* Price conventions were held in an endeavor to fix reasonable rates, but these amounted merely to organized attempts to browbeat sellers, especially farmers, into reducing their exorbitant prices to a figure set by authority, avowedly according to the cost of production. Frequent attempts were made to legislate against extortion and various bills were introduced in the Confederate Congress, the chief aim of which was to compel farmers to sell their produce at prices set by commissioners in each State, but none of these bills became law. Bills to suppress extortion were frequently discussed in the Virginia and North Carolina legislatures, but the opposition to them could not be overcome. In Virginia many members of the legislature were farmers, and, being sellers, were not anxious for a reduction of prices. In the North Carolina legislature the fear was expressed that the enactment of such a law would encourage farmers still more to hoard their produce.† The situation finally became so serious that riots broke out against extortioners at Salisbury, North Carolina, Mobile,

* *Official Records*, vol. xxiv., pt. i., p. 84.

† Schwab, *Confederate States*, pp. 229-230, 234-235; Pollard, *The Lost Cause*, p. 425 *et seq.* De Leon (*Four Years in Rebel Capitals*, p. 235) says: "But while the fault and the shame is theirs [the speculators], it may be not disguised that the door was not only left open for their base plundering, but in many cases they were urged toward it by the very hands that should have slammed it in their faces."

‡ *Official Records*, ser. iv., vol. ii., p. 181.

* *Official Records*, p. 214; Schwab, *Confederate States*, p. 235.

† Schwab, *Confederate States*, pp. 182-185, 204-205.

Atlanta, Richmond, and other places, and the provision shops were pillaged for food.* In 1862 the recommendation was made that cotton planting be curtailed and that corn and other grain be substituted.† This suggestion was followed and in 1863 the crop of cotton was materially reduced and in 1864 was only one-eighth that of 1861,‡ while in 1863 and 1864 the cereal crops were large. This, however, does not seem appreciably to have reduced the prices of bread and meat which went up steadily, and in Virginia especially the suffering became acute. Though no beggars were to be seen in the streets, crowds of haggard women with baskets might be seen at the office of the Young Men's Christian Association awaiting the free distribution of foods.¶ Even women who had lived in luxurious homes might be seen before the cheapest shop, awaiting their chance to buy a pittance of flour and bacon with the scant wages they had been compelled to earn by "plain sewing" or by clerical work in a government office.§ On July 9, 1864, John Tyler,

son of the former President, wrote from Petersburg:

"My heart sinks within me at the inevitable suffering of our people through actual want and starvation. * * * Our situation in Georgia under Johnston is similar to that here, but he is nearer provisions and is in less danger from starvation. Flour here is now commanding in market \$400 per barrel and everything else in proportion. Many in and out of Richmond must starve to death this coming winter."*

Unsuccessful efforts were made by societies and mutual supply associations to end the extortion, and Richmond and Charleston even embarked in the business of supplying meat and bread but without much success. An attempt was made to lessen the consumption of corn by prohibiting its distillation into whisky, and all the States save Tennessee enacted laws to this effect, but they were evaded. The Confederate government then came into conflict with the State authorities by establishing distilleries to furnish the army and navy with whisky; the North Carolina legislature requested Governor Vance to suppress the government distillery in Salisbury and Governor Joseph E. Brown, of Georgia, proposed to prosecute anyone distilling in the State, even if he were an agent of or contractor for the Confederate government.† On February 6, 1864, Governor Brown wrote:

"One thing is very certain, there is not enough corn in the country to furnish the people and the army with rations of bread and whiskey. * * * I have lately been through Upper, Middle, and Southwestern Georgia, and have observed closely,

* Rhodes, *United States*, vol. v., pp. 363-366.

† Schwab, *Confederate States*, pp. 276-278.

‡ Schwab (p. 279) says it probably did not exceed 500,000 bushels.

¶ Rhodes, pp. 367-369.

§ Pollard says: "Poverty and its attendant necessities befell those who had never dreamed of want. Many families who had been reared in affluence and luxury, were in need of the common necessities of life. Young, delicate ladies often had to perform menial offices, such as cooking and washing for their families, having lost their servants by the war, or having been driven by other necessities to the last resources of economy."—*The Lost Cause*, p. 480.

* *Official Records*, vol. xl., pt. iii., p. 759.

† Schwab, *Confederate States*, pp. 217, 279-280.

and I am quite sure the prospects of suffering for bread are alarming. In this state of things I feel that I should merit the censure of all good men if I were to allow more corn distilled into whiskey than is actually necessary for hospital purposes. What whiskey is made under license hereafter to be granted must be made in Southern or Southwestern Georgia, and made as the statute requires—of grain grown over twenty miles from a railroad or navigable stream.”*

Some lines of trade and manufacture afforded apparently rich returns, but this could not be said of the iron industry, for little was done to utilize the rich deposits of iron ore and the abundance of coking coal of the Southern States. The iron blast furnaces at the South were small and their construction antiquated, charcoal being used as fuel in smelting ores instead of coke or raw coal. Ore existed in pockets which soon became exhausted, and many furnaces had to depend on the supply which was hauled to them in wagons from places several miles distant. If ore were plentiful, fuel was likely to be scarce or *vice versa*; or if both were at hand, the labor could not be secured or could not be fed by the supplies of bread and meat obtainable in the vicinity. By the fall of 1864 ten iron furnaces in Virginia, all but three in Tennessee, all in Georgia, and four in Alabama had been burned by the Union troops or abandoned because of their proximity.†

The demand for cotton goods was largely increased during the war and

the manufacturers would have reaped still larger profits had it not been that during 1850–1860 the mills had not been remunerative and the machinery had been allowed to sink into a state of disrepair. When the stimulated trade created a demand for machinery, tools, and other indispensable articles, they could be had only with the greatest difficulty. Nevertheless the profits must have been large, for in the statute of October 11, 1862, was a provision that superintendents and operatives in wool and cotton factories might be exempt from military duties if the profits of such establishments should not exceed 75 per cent. upon the cost of production. The dividends of banks, insurance companies and railroads ran from 6 to 20 per cent. yearly, and it was stated that stocks in manufacturing concerns were continually increasing in price because of the immense dividends they had been paying.* The assertion was made that the fares and freight charges of the railroad had advanced continuously and rapidly until they had become “extraordinary and excessive,” enabling the roads to declare dividends at from 30 to 60 per cent. per annum.†

* Schwab (*Confederate States*, p. 272) cites a woolen mill which declared dividends of \$530,000 on a capital of \$200,000, a paper mill which declared 575 per cent. dividends in the years 1861 and 1862 and another manufactory which declared 645 per cent. According to the Virginia tax assessment for 1863, 120 establishments were taxed on a basis of profits exceeding \$3,000,000.

† Rhodes, *United States*, vol. v., p. 422.

* *Official Records*, ser. iv., vol. iii., p. 119.

† Rhodes, *United States*, vol. v., pp. 390–392; Schwab, *Confederate States*, pp. 269–270.

There were many persons at the South who had made snug fortunes by blockade running or illicit trade with the North.* The sales and profits of tradesmen had increased, and mechanics had never been better paid, though, as was the case in the North, wages and salaries responded but slowly and imperfectly to the new conditions, and their nominal rise was far outstripped by the rise in the price of commodities. The civil officers of the Confederacy finally (January 30, 1864) induced Congress to double their salaries, which was only a slight concession in view of the enormous inflation of the price of necessities and of the fact that the 100 per cent. increase applied only to salaries below \$2,000, those between \$2,000 and \$3,000 being raised only 50 per cent. and those above \$3,000 not at all. Moreover, this increase applied only to government employes in Richmond. On June 14, 1864, however, Congress granted a further increase of one-third to those in Richmond and of one-fourth to those employed elsewhere. The salaries of the Confederate Congressmen were increased also; in the beginning the provisional Congress fixed the amount of \$2,500, and the permanent Congress in 1862 raised it to \$2,760 and doubled it in 1864. Attempts were made still further to increase the sum but they failed. Several of the State legisla-

tures also increased the salaries of their civil servants.*

The hotels of Richmond and Charleston were crowded† and one often meets the expression that men were “making money very rapidly.” Town lots in Richmond sold at “fabulous prices” and the “land fever” induced numbers of men to purchase old worn-out Virginia farms.‡ The *Richmond Dispatch* of April 13, 1863, said that the greed of gain prevailing in the Confederacy was “more wicked and infamous than the same vile passion in Yankee hearts.” Davis wrote on October 6, 1863, that “the passion for speculation has seduced citizens of all classes from a determined prosecution of the war to a sordid effort to amass money,”§ while Seddon speaks of the “insatiable thirst for gain and speculation”|| and Herschel V. Johnson bemoans “the greed for gain [that] was never so rampant as now.”¶

The war did not seem to check the gayety of the Southerners and this excited many comments, especially in Richmond. All classes of persons flocked to the capital of the Confederacy and it soon took on a festive

* Schwab, *Confederate States*, pp. 181-182.

† T. C. De Leon, *Four Years in Rebel Capitals*, p. 147.

‡ Jones, *A Rebel War-Clerk's Diary*, vol. ii., pp. 240, 271.

§ *Official Records*, vol. xxx., pt. i., p. 212.

§ *Ibid.*, ser. iv., vol. ii., p. 1008.

¶ *Ibid.*, vol. iii., p. 595. See also Schwab, *Confederate States*, pp. 230, 280; De Leon, *Four Years in Rebel Capitals*, p. 236 et seq.

* Rhodes, *United States*, vol. v., p. 396 et seq.

aspect, in spite of the fact that ware-rooms and even stores on Main Street were opened, fitted with bunks and filled with the maimed and suffering brought in from Seven Pines and other battlefields on the Peninsula.* Early in 1862 music and dancing in private houses were common† and a “hop” was given every week in the ballroom of the Spotswood Hotel. In August of 1863 it was stated that never before had ladies been so extravagant in their expenditure for showy foreign fabrics. Later, when prices began to soar, one journalist lamented that five balls were advertised while flour was \$125 a barrel.‡ The theatres of the larger cities were well attended, though toward the close of 1863 the assertion was made that such amusements were out of place when the land was filled with sorrow and mourning for its heroic dead.|| A “Starvation Club” was formed in Richmond, the members meeting at one another’s houses for a dance or amateur theatricals; the music was

paid for by assessments on the members but refreshments were forbidden.* The “Starvations” were not the only amusements, even in the last days of the war. Amateur theatricals and tableaux became the rage; “and that especial pet horror of supersensitive godliness—the godless german cotillion—even forced itself into the gayeties of the winter.”† In Mobile, Charleston, and Augusta there were balls, fairs, and concerts; races were run at Richmond and other places; in Mobile there were cock-fights; and the increase of gambling houses in Richmond gave the authorities much concern.‡

Vice and crime increased; drunkenness and gambling were rampant; and ruffians, thieves, and prostitutes abounded.|| The *Richmond Examiner* declared:

“The city is full of the vilest licentiousness. Among all the loathsome vices imported into it by the harpies who prey upon the army, that of gambling has become so prominent and brazen as to defy public decency as well as law, intruding its allurements on the most frequented parts of our most public streets. * * * The painted dens of San Francisco and ‘hells’ of the old federal city were not a whit more diabolical than

* De Leon, *Four Years in Rebel Capitals*, p. 199 et seq.

† Mary B. Chesnut, *Diary from Dixie*, passim; De Leon, *Four Years in Rebel Capitals*, p. 148 et seq.

‡ On February 1, 1864, Mrs. Chesnut enters in her diary (p. 284) that she attended Mrs. Davis’ “Luncheon to Ladies Only” where she ate “Gumbo, duck and olives, chickens in jelly, oysters, lettuce salad, chocolate cream, jelly cake, claret, champagne, etc.” and on the next line states that she paid \$85 “for a pair of forlorn shoes.”

|| See, for instance, the remark of General Lawton at a dinner given at Richmond to John Morgan, quoted in Chesnut, *Diary from Dixie*, p. 276. See also p. 286.

* Mary B. Chesnut, in her *Diary from Dixie*, p. 260, speaks of “Hetty Cary’s Starvation party, where they will give thirty dollars for the music and not a cent for a morsel to eat.”

† De Leon, *Four Years in Rebel Capitals*, p. 352.

‡ Rhodes, *United States*, vol. v., pp. 426-427; Schwab, *Confederate States*, p. 281; Schouler, *United States*, vol. vi., pp. 574-575.

|| Pollard, *Life of Davis*, pp. 129, 153; Jones, *Diary*, vol. ii., p. 41; Pollard, *Third Year of the War*, p. 182.

the 'saloons' on Main Street, Richmond. * * * There is said to be now in this city a sufficient number of gamblers to form a regiment." *

Laws were passed to suppress the gambling houses, but only temporarily held them in check,† the police government having gone to pieces. Thieves, garroters, and murderers so infested Richmond that vigilance committees were formed and lynch law threatened. Such conditions prevailed in other cities of the South. The saloons of Mobile had been closed by General Bragg's order, but after their reopening in August of 1863, gambling and drunkenness began to run riot. In April of 1864 Charleston citizens claimed that burglaries, arsons, assaults, and murders were committed daily in their midst. Excessive drinking increased in Montgomery, and in October of 1864 Augusta was infested by a gang of thieves and robbers.‡ There were many defalcations of public money|| and many speak of corruption and malfeasance in office. In his *Diary* Jones speaks of "thieving quartermasters and commissaries" and he evidently spoke truthfully, for on May 1, 1863, the Confederate Congress passed an act "to prevent fraud in the quartermaster's and commissary departments." As in the North much fraud came to light in connection with the transactions of the bounty

jumpers and the professional substitute agents.*

Though there were no great organizations in the South like the Sanitary Commission and the Christian Commission, there were a number of small associations which worked to alleviate the miseries of war. The women of the South carried on much charitable work and were as devoted to their cause as the women of the North.† The distress of the Southern women was far greater than that of the Northern women. In the latter section many families had no near relatives at the front; but in the South it was a rare exception when neither husband, father, son, nor brother was in the army. Hence there was scarcely a home in the South that had not been visited by the fearful ravages of war and the consequent sorrow and mourning. The work of the women of the South was recognized by the Confederate Congress by the passage of a resolution of thanks "to the patriotic women of the Confederacy for the energy, zeal, and untiring devotion which they have manifested in furnishing voluntary contributions to our soldiers in the field, and in the various military hospitals throughout the country."

* See, for instance, *Official Records*, ser. iv., vol. ii., pp. 45, 582, 613, 648, 654, 656, 672, 674, 694, 822, 947, 996, 997, 1059.

† Jones, *A Rebel War-Clerk's Diary*, vol. ii., p. 16. See also J. L. Underwood, *Women of the Confederacy* (1908); B. W. Arnold, *Virginia Women and the Civil War*, in *Publications of the Southern History Association*, vol. ii., p. 256 (July, 1898).

* See also De Leon, *Four Years in Rebel Capitals*, pp. 238-240.

† Schwab, *Confederate States*, p. 281.

‡ Rhodes, *United States*, vol. v., pp. 428-429.

|| Pollard, *Life of Davis*, p. 153.

A profound religious sentiment swayed the majority of the people and was particularly noticeable in the armies of Lee and Stonewall Jackson. Prayer-meetings were held and "a sort of religious ecstasy took possession of the [Lee's] army."* Jackson probably was the most striking figure of the war on the Southern side. No man was more devout, and his religion became a part of his being, influencing every act. He prayed without ceasing and never went into battle without asking the Divine guidance. His observance of the Sabbath was extremely rigorous; he would never precipitate a battle on that day and would avoid an attack by the enemy if it were possible. Whenever possible he encamped his army on the Sabbath and devoted the day to rest, recreation, and religious exercises.† Swinton‡ describes him as follows:

"Jackson was essentially an executive officer, and in this sphere he was incomparable. Devoid of high mental parts, and destitute of that power of planning and combination, and of that calm, broad, military intellect which distinguished Gen. Lee, whom he regarded with childlike reverence, and whose designs he loved to carry out, he had

* George Cary Eggleston, *Recollections of a Rebel*, p. 240. See also J. W. Jones, *Christ in the Camp, or, Religion in Lee's Army* (1887).

† See the biographies of Jackson by R. L. Dabney, J. E. Cooke, and others previously mentioned; Eggleston, *Recollections of a Rebel*; Pollard, *The Lost Cause*, p. 379 *et seq.* In her *Diary from Dixie*, p. 261, however, Mary B. Chesnut quotes one of Jackson's generals as saying: "I think there is a popular delusion about the amount of praying he did. He certainly preferred a fight on Sunday to a sermon. Failing to manage a fight, he loved best a long Presbyterian sermon, Calvinistic to the core."

‡ *Army of the Potomac*, p. 289.

yet those elements of character that, above all else, *inspire* troops. A fanatic in religion, fully believing that he was destined by Heaven to beat his enemy whenever he encountered him, he infused something of his own fervent faith into his men, and at the time of his death had trained a corps whose attacks in column were unique and irresistible."

The efforts of the commanders were ably supported by the Bible Society of the Confederate States, the South Carolina Tract Society, and other similar organizations, which printed and distributed among the soldiers many Bibles, Testaments, sermons, tracts, hymn-books for camp worship, and religious "songsters" for the army. The different church organizations held their conventions as usual and established missions among the soldiers.

Interest in educational matters was not suspended because of the war. The elementary schools were not greatly affected by the civil strife,* but the higher institutions of learning were either closed altogether or maintained only with difficulty. "The first effect of the war was to close the doors of the Southern universities and colleges. Professors and students enlisted in the army. Those unfitted for

* "Desperate efforts were made to maintain schools. The minutes of the Charleston School Board tell a pathetic tale. As the shells from the hostile batteries penetrated farther and farther into the city, one school after another was rendered unsafe for occupancy. The building was abandoned but the children were housed temporarily in sections more remote from the siege guns, and the public school system, founded by C. G. Memminger, then a member of the cabinet of President Davis, continued its beneficent work."—*The South in the Building of the Nation*, vol. x., p. 288.



PRAYER IN "STONEWALL" JACKSON'S CAMP.

From the original drawing by P. Kramer.

service remained and taught a few classes, without system or order. In course of time most college buildings were occupied by one or both armies. Movable property was destroyed and endowments in many cases lost.”* William and Mary College was burned and its apparatus destroyed;† the buildings of South Carolina College, now the University of South Carolina, were used as a Confederate hospital;‡ the buildings of the University of Alabama were completely destroyed by a troop of Union cavalry.¶ In 1861 the University of Virginia had more than 600 students and less than 40 two years later; the faculty begged Seddon not to enforce the conscript act or the college would be forced to suspend its work. Similar word came from the State University of Georgia and the Georgia Military Institute,§ and the military colleges of Virginia, South Carolina, and Georgia in vain besought exemption from the act. Virginia Military Institute was crowded with students until on June 12, 1864, it and all the buildings connected with it were burned by the Union troops under General Hunter.¶ Thereafter an almshouse near Richmond was used that the exercises might be continued.

* *The South in the Building of the Nation*, vol. x., pp. 228-229.

† *Ibid.*, p. 239.

‡ *Ibid.*, p. 244.

¶ *Ibid.*, p. 246.

§ *Official Records*, ser. iv., vol. i., p. 1084, vol. ii., pp. 297, 308.

¶ *Ibid.*, vol. xxxvii., pt. i., p. 97; Long, *Memoir of Lee*, pp. 355-357.

The South at the close of the war lay in economic ruin. Unlike the North, it had been forced from the beginning to develop its industrial establishments, which were completely ruined by 1865. The plantation system with its unpaid labor organization was destroyed, and the people, finding themselves without credit, were forced to pay the costs of the war in service, property, produce, and flesh and blood, instead of mortgaging the future as the North was able to do. To economic prostration were added social disorder, the subversion of local governments, and the loss of slave labor.

Property had, in great degree, been consumed or destroyed; what there was had greatly depreciated in value. Most movable property — vehicles, farm implements, cattle, horses, farm products, etc. — had been worn out or used up by the armies. Thousands of dwelling houses and hundreds of public buildings were destroyed. Not a mile of railroad track was in good condition and over most of the South the railroads were not running at all — the track and rolling stock, the shops, stations, water tanks, and bridges having gone to ruin or been destroyed. Before the war water transportation had been important in the South, but by 1865 the steamers had disappeared from the rivers and coast waters — all impressed into service as blockade runners or captured. Country roads having suffered four years of neglect were frequently impassable. Telegraph wires were down and the mails

were no longer carried. The \$2,000,000,000 invested in slave property was a complete loss. Everywhere crops were poor and the land itself was neglected—grown up to bushes and weeds; ditches were choked, gullies washed out, fences torn down. Economic reorganization was further delayed by the Federal confiscation policy under which several hundred thousand pieces of property and thousands of bales of cotton were seized. Until 1868 the cotton tax of \$7.50 to \$15 a bale, first levied in 1862, bore heavily on those who had cotton to sell. The total cotton tax collected amounted to about \$65,000,000 and the confiscations to at least as much more.

Business was at a standstill. Many towns and cities—Charleston, Columbia, Richmond, Atlanta, Mobile, and many smaller places—lay in ruins. The stocks of goods in the stores had long been sold out and, for lack of money and credit, more could hardly be obtained. The war and the loss of Southern debts in 1861 had caused Northern business men to look elsewhere for trade connections; the blockade had ruined the foreign commerce of the South and the failure of the staple export crops made it difficult to regain it. Old channels of trade had been shut off and the South was stranded. In 1865 it found itself reduced to about the colonial basis—little money, little wealth, barter, and primitive conditions generally.

Labor was demoralized. Year by year, from 1861 to 1865, the Federal

armies had freed more and more slaves—more than half by the end of 1864; and these, with the hosts set free by the final surrender, were gathered in companies about army posts or Freedmen's Bureau offices, or wandered aimlessly about the country, living precariously by hunting, fishing, stealing, begging, and very little work. Each negro felt that he must put his freedom to the test by leaving his master; the slave labor system was a thing of the past; the crops already planted were neglected. Many of the negroes, under the delusion that the Government would give them "40 acres and a mule," refused for years to work steadily, if at all.

In the white districts conditions were worse for a while than in the black belt. The greater number of the soldiers came from the white counties and, stripped of the labor force, the region was soon poverty stricken. Women and children went to the fields, and by 1862 the State legislatures were sending supplies to them. For years after 1865 these districts suffered untold hardships, for the terrible loss of life and health bore most heavily upon them. Generally, the whites were forced for a time to a lower grade of work than that to which they had been accustomed, the professions were nearly deserted, and the lack of means to accomplish results was disheartening. But one fact soon became clear: the demoralization of black labor, which had had a monopoly of staple crop production,

enabled the farmers of the white districts to begin successful competition.

The principal economic results of the Civil War may then be summed up as follows: a heavy National debt and a long disordered currency system; a protective tariff and a huge pension roll, both of which still bear most heavily on the South, to the advantage of other sections; the increase of wealth in all forms and industries thriving in the North, while the

reverse was true of the South, which in 1865 lay in economic chaos from which it was long in emerging; the slave labor system destroyed and the plantation system disorganized; relief of the Southern whites from competition with slave labor and consequent freedom for more rapid economic progress in the future; on both sides nearly two million men killed or weakened by the war, a loss which was more heavily felt in the South.*

CHAPTER L.

1861-1865.

ECONOMIC CAUSES FOR THE DEFEAT OF THE SOUTH.†

The disparity in population between the North and South — The lack of manufactures — Failure of the Southern reliance on cotton — Lack of mechanics and skilled workmen — Deterioration of the railways — The impressment of foodstuffs for the army — Influence of the financial situation.

In the struggle to win recognition as an independent nation the South possessed the advantage of brilliant military leadership and of superb human material out of which to organize its armies; but in other important respects the seceding states were under a heavy handicap. Their population was in 1860 but little more than two-fifths as large as that of the North. Soldiers for the Northern armies could be drawn from practically the whole of the population; the South had among its 9,000,000 people 3,500,000 slaves, who did not furnish fighting men. To be sure the

slaves could work the plantations while their masters were at the front, but, as a resource, they were far from equal to a similar number of free whites. Any postponement of the civil conflict would have been to the further disadvantage of the South. Northern population was increasing

* Dunning, *Reconstruction* (New York); Fleming, *Documentary History of Reconstruction*, vol. i., and authorities therein cited; *The Economic Conditions During the Reconstruction in The South in the Building of the Nation*, vol. vi., pp. 1-11 and authorities therein cited.

† Prepared for this History by William H. Glasson, Professor of Economics, Trinity College, Durham, N. C.; Joint Editor of the *South Atlantic Quarterly*.

faster than Southern, for slavery prevented the South from diverting to herself a very large proportion of the streams of immigration which were constantly adding to the human resources of the North and West.

The north had not only a varied agriculture but also flourishing manufactures and trade; the South was a great plantation. Its manufactures were in value only about one-eleventh of those of the North. A study of the reports of the census taken just before the conflict shows in the Confederacy a lamentable lack of the industries most necessary to the support of a great war. Iron was a prime necessity in a preparation for military operations, but the South's rich deposits had been hardly touched. The production of machinery, cotton and woolen goods, leather, boots and shoes, and agricultural implements was pitifully small. To meet the needs of the situation by establishing the required industries and bringing about a general industrial reorganization was a difficult and well-nigh impossible task. As it turned out, notable headway was made with military industries, but the overtaxed energies of the South were not equal to the task of supplying other urgent needs of its people.

At the beginning of the war the Confederacy counted much on the strategical importance of its masterful position as the producer of the

world's supply of cotton, for its nearly complete monopoly seemed to be a powerful economic weapon in its hands. Cotton was the principal export of the United States, and the withholding of the supply was expected seriously to affect the North by the disturbance of international exchanges. Such distress was anticipated in those industries of the North and Europe which were dependent on the cotton supply as to result in irresistible pressure on the governments to bring the war to an end; and the Confederate authorities were so much influenced by this hope that at first they strove to keep cotton from being sent out of the Confederacy. But, as the needs of the South became urgent, there was a change of policy, for it seemed reasonable and wise to attempt to meet deficiencies in arms and munitions of war, in food and supplies, by obtaining them from Europe in exchange for high priced cotton. However, the constantly tightening blockade, which condemned the South to economic isolation, upset all such plans and made their results relatively small, for the industrial needs of the seceding States could not be adequately met by home production; their ports, closely beset by the Federal fleet, received only the uncertain cargoes of venturesome blockade runners.

Another almost insurmountable difficulty in the way of making the South self-sustaining was the lack of skilled

mechanics and of directors of industry with scientific and technical training. Though this was a very real and serious misfortune, due recognition must be given to the creditable results achieved under able direction in some of the military industries of the Confederacy. It is also probable that the Southern people were less prepared than the Northern to devise and apply efficient and scientific methods in the management of affairs, for, predominantly occupied with agriculture under the slave labor system, the South had had no opportunity for gaining general familiarity with the procedure of the modern world of industry and trade.

In the matter of intercourse and commerce between the different parts of the South, the lack of extensive and well-equipped railroad systems was a serious disadvantage. The railroads were largely local in character, carrying the traffic between the interior and such important cities as Richmond, Wilmington, Charleston, Savannah, Mobile, and New Orleans. There were no through lines binding the states of the Confederacy together. When the war opened the South had less than thirty per cent. of the railroad mileage of the country, and this was soon greatly reduced by the invading armies. The Southern roads were not so well built and operated as those at the North, and as the war progressed it proved impossible to

maintain them in even moderately good condition. Tracks and bridges fell into a dangerous state of disrepair; rolling stock deteriorated and there was no way of replacing it. Frequently the roads were so overtaxed with military transportation that private business and trade, when carried on at all, were subject to interminable delays and uncertainty. Inadequate railroad connection between the different parts of the South was a serious obstacle to the furnishing of subsistence to the Confederate armies, the result being that there might be abundant crops in one section, while lack of the means of transportation left the soldiers without rations in another.

The methods of the Confederate commissary department were such as to discourage farmers from willingly furnishing foodstuffs to the army. The government could not, therefore, rely upon ordinary purchases in the market from producers or dealers, but adopted a policy of impressing supplies at prescribed schedules of prices below the market rate and such forced purchases were made with successive issues of paper money. The farmers claimed that they could not profitably produce foodstuffs at the government's arbitrary prices, and in some cases withheld their produce; in other cases they turned from the growing of cereals to that of cotton and tobacco, as the latter crops were less liable to

seizure. The result was that toward the end of the war the government experienced the greatest difficulty in securing subsistence for the armies. Even impressment of goods was accompanied by great wastefulness, for enormous quantities of provisions were lost, stolen, or allowed to spoil. Though there was no great dearth of food in the country at large, the army suffered by reason of the poor commissary system, and the military power of the Confederate forces was seriously impaired.

The paper money inflation played no inconsiderable part in the economic difficulties of the South. Speculation not only became inevitable but was actually encouraged by the logic of the situation, while legitimate business became uncertain and hazardous. The successive paper money issues led to constantly increasing prices, for the limitation of which laws were enacted, the only effect being to cause producers to withhold their goods from the markets; the resulting scarcity in turn led to still higher prices and new paper issues with which to purchase supplies. Heavy taxation then became necessary, but the Confederacy was ill-equipped to enforce promptly a rigorous tax system and there was little disposition to attempt it; moreover, when taxes were levied, they were paid in depreciating paper and their burden could be lightened by delay in settlement. Confederate

finances, therefore, reached such a low ebb that the government finally resorted to a tax in kind of one-tenth of agricultural products, but this measure aroused great opposition among the agricultural classes who regarded it as singling them out for an unfair burden. The result of the financing of the war with loans and paper money issues, instead of by severe taxation, became, therefore, most disastrous; for, by the end of the war, the depreciation of the currency was so extreme that a dollar in specie was worth about one thousand in paper. Such conditions brought industrial demoralization to the South and contributed not a little to the final collapse.

Mention should also be made of the tremendous advantage the North had over the South in the possession of National and international money markets and of most of the great centres of trade—a fact which accorded the former infinitely greater facilities for the negotiation of loans and for the transaction of other financial operations necessary to the successful conduct of a war. New Orleans and Charleston were at first the money centres of the South, but their supremacy soon waned and there were no others to take their place.

However, though the economic weaknesses and difficulties of the Confederacy were great, they furnished the North no easy victory. There

was an offset in the brilliant military leadership of the South and in the fact that the Northern armies were compelled to take the offensive and invade Southern soil. It is the judgment of so fair and thorough a writer

as Rhodes that "for such warfare the proportion of five to two in population was none too great, the odds of wealth and industrial activities were none too large. Had they been less the North might have failed."*

CHAPTER LI.

1865.

THE POLITICAL EFFECTS OF THE WAR.

The vital issues settled by the Civil War — Fixing the status of the Nation — National unification and world-expansion — Social, moral, industrial, and political effects of the abolition of slavery — Complete reorganization of life in the South — The effect of emancipation on territorial acquisitions.

When the eleven Southern states voted to secede from the Union and establish the Southern Confederacy as an independent government, they presented for final adjudication several issues that had been in controversy from the beginning of National existence. The constitutional relations of the several States to one another and to the central government, questions of State rights and of negro slavery were weighed in the balance from 1861 to 1865, and in the four short, momentous years those and other political issues, scarcely less important, had been forever decided.

Although slavery appeared in the forefront as conspicuously provocative of secession and of the war, it was really a secondary, not a primary, cause of the trouble. Larger economic and political considerations had for seventy years been operating gradually but grimly to an inevitable

suspension of sympathy between the North and the South. The industrial and commercial interests of the two sections had been diametrically divergent from the first, and radically different opinions concerning the interpretation of the Constitution were held on the two sides of the Mason and

* Professor J. C. Schwab's *The Confederate States of America* (New York, 1901) is of great value in the study of this topic. It contains an extensive bibliography of original and secondary sources. Volumes iii. and v. of James Ford Rhodes' *History of the United States* should also be consulted. Information as to the comparative population, industries, and wealth of the North and South is to be found in the Eighth Census of the United States, 1860. Other select references are *The South in the Building of the Nation*, vol. v.; *Economic History, 1607-1865* (Richmond, 1909); F. E. Chadwick, *Causes of the Civil War*, in *American Nation* series, vol. xix. (New York, 1906); J. K. Hosmer, *Outcome of the Civil War*, in *American Nation* series, vol. xxi. (New York, 1907); Duncan Rose, *Why the Confederacy Failed*, in the *Century Magazine* (November, 1896). Also see numerous references to original and secondary sources under the topic "Economic Activities of the Confederacy," chap. x., *ante*.

Dixon line. These differences of opinion were intrinsic and vital, and slavery was but one outgrowth of the conditions which led to the conflicting views. It was recognized at the outset by both parties that the slavery question was not the pivot upon which the war turned. Although the platform upon which Lincoln was elected declared for the restriction of slavery to the area of the slave States, and the abolition movement for a generation in the North had aimed at that and even more, the President expressly declared in his inaugural address that he had no lawful right and no inclination "directly or indirectly to interfere with the institution of slavery in the States where it exists." Politically the non-extension of slavery had been the issue of the Presidential campaign of 1860, as it had been that of 1856; but with the breaking out of the war the great issue became the preservation of the Union in its integrity and the determination of questions relating thereto. Upon that line the issue was clearly drawn. As the Crittenden resolution (passed by Congress in July of 1861) expressed it, the war was not to be waged "for the purpose of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or established institutions of those states; but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality and rights of the several States unimpaired."

At the end of four years that paramount issue was settled and with it other questions, some cognate and others that had developed during the period. When Lee surrendered to Grant at Appomattox, the question whether the United States constituted a confederacy, a federation or a Nation and whether or not the States were independent sovereignties, was relegated to the realms of academic discussion. There were other results of the war, to be sure, but none so important as this. That the United States had made a Nation of themselves in 1789 had up to that time never been wholly conceded; from 1865 there was no shadow of a doubt on that point. The Nation was then and there fixed in its political status beyond all possible peradventure, and the trend of opinion and events of the ensuing years have only served to render that status impregnable. Indeed, so far has the country advanced toward a broader and stronger centralization of government that the so-called "New Nationalism" of the opening years of the new century, which, three generations ago, would undoubtedly have precipitated a revolution, is now calmly, unquestionably and dispassionately accepted as our rightful and proud position.

As an outcome of the Nationalistic idea, then, the United States has become a world power. With domestic animosities laid, and internal interests no longer divided, with the extension of area, a phenomenal growth of

population, and an increase of material resources and development of strength and unity of purpose as respects National existence, the United States buoyantly and joyously awoke to the fact that they were free to address themselves to considerations of domestic tranquility and prosperity as well as to questions of international import. There can be no doubt that the Nation, as it was loosely constituted before the Civil War had unified it, would have been well-nigh powerless in the face of such questions as the expulsion of the French from Mexico; the freedom of Cuba; the "open door" of trade in China, and the territorial integrity of that kingdom; the construction of the Panama Canal; the enforcement of the Monroe Doctrine; the advancement of the principles of peace and arbitration between nations; and other issues which have been conspicuous in National and international life in the last half century.

By the inexorable logic of events slavery fell. From the beginning the abolition element in the North demanded that the war should be fought, not only to preserve the Union but to free the negro, and gradually that issue assumed greater and greater importance. From early in 1861 there was a remorseless, irresistible succession of events — measures instituted by military commanders in the field, anti-slavery legislation forced by the extreme element in Congress, and, to clinch the whole, the proclamation of

President Lincoln in September of 1862 — which forever destroyed an institution that had existed in the American colonies and States for two hundred and fifty years.

Second in importance only to the final determination of the questions of State rights and State sovereignty, it was undoubtedly the abolition of slavery that most profoundly affected the future of the Nation morally, politically, socially and industrially. Politically it wrought a revolution. The constitutional amendments which became necessary to give full effect to emancipation, and the subsequent legislation enforcing them, were the most important additions to the scheme of government since the institution of the Republic. Designed for the whilom negro slave only, they have, by various broad interpretations of the Supreme Court, proved to be the strongest measures of protection to all persons and corporations in their life, liberty and property.

The Reconstruction period brought up numerous political questions the consideration and settlement of which established precedents that have already affected the country in many and enduring ways. In working out the problem of reorganization of government in the States which had revolted, it was ultimately determined that the States still existed as part of the Union, but with such a disorganized civil government that congressional legislation became necessary to secure to them their previous Repub-

lican form of government. This was an entirely new principle of National power, and its adoption was fraught with political results that were grave and far-reaching.

Reconstruction remodelled in every conceivable way the political, social and industrial life of the South. The injection into their body politic of an ignorant, untrained voting element led to serious consequences, and the riotous extravagance and plunder of the "carpet bag" governments intensified the evil of misplaced suffrage. It was five years before Federal interference was withdrawn from those States; it was more than ten years before negro political supremacy became a chimera no longer to be feared; it was forty years before the South was able to get back to its former normal condition of white political dominance. The record of this period was one of incessant struggle. There were ballot-box frauds, riots, Ku-Klux-Klan night raids, the shot-gun at the polls, special legislation and other measures to disfranchise the negro. The story of the forty years constitutes one of the most absorbingly interesting chapters in the political annals of the country. The beginning of the Twentieth century saw the suffrage in the hands of the negro in that part of the country practically nullified, so far as danger to white supremacy was concerned.

Every acquisition of territory by the United States, from Louisiana in 1803 to Porto Rico and the Philippines

in 1898, has been made in the face of domestic opposition. At times in the early history of the country this opposition was of a virulent character and was accompanied by threats of secession from the sections opposed to territorial expansion. Much of this opposition grew out of the belief of the anti-slavery element that territorial expansion meant slavery extension. Emancipation laid that spectre low and thus removed the strongest argument against the country's growth in area. There has been, it is true, opposition to every new movement in that direction, but such opposition has been slight compared with what it was in the first century of the Republic. Secretary Seward's purchase of Alaska in 1867 was criticised as a wasteful expenditure of money. The cry of anti-imperialism was set up against the acquisition of Hawaii in 1893 and the Philippines in 1898, but the protest was feeble and ineffectual, and by the great majority expansion is no longer looked upon askance. The manifest destiny of the United States in extending its boundaries is now recognized, and the general acceptance of this principle is a happy aftermath of the settlement of antebellum controversies.

When the war broke out a "strong-arm" government was the prime need of the hour. The President, the Congress, the courts, the military commanders, the civil authorities were compelled to claim and to exercise extraordinary and, at times, even extra-

constitutional powers. Such, among other matters, were the designation of the negro as contraband of war on the ground that he was property, and then making him a free man on the ground that he should not be property; the assertion of the National right to enter the territory of the several independent States for the purpose of conscription without asking or waiting for the State's consent; the creation of a National debt for war purposes; the establishment of a National banking system to place government bonds and to uphold an inflated currency; the adoption of an income tax; the imposing of internal revenue taxes upon nearly every conceivable article of use and consumption. These and other measures of the period constituted a remarkable deviation in legislation and in administration from all previous practice. The political effect of these emergency acts was immediate and lasting. The fact that they could be decreed and carried out with the support of an overwhelming, even though not entirely unanimous, public sentiment marked a turning point. The Supreme Court became more Nationalistic than ever before in supporting the broad popular contention for preservative measures needful to the National welfare. Thus while State rights, State sovereignty and negro slavery disappeared in the whirlpool, there emerged new principles of gov-

ernmental polity that have remained fixed institutions. The high tariff for protection; the National banking system; the National debt; the income tax repealed in 1872 and revived in 1909; the internal revenue tax; governmental aid to railroads; internal improvements — these are only a few of the many valuable principles that through the storm and stress and agony of war established themselves as integral parts of our government system.*

* Alexander Johnston, *History of American Politics* (Boston, 1882); James G. Blaine, *Twenty Years of Congress* (2 vols., Norwich, 1884); T. V. Cooper and H. T. Fenton, *American Politics from the Beginning to Date* (Philadelphia, 1885); Jefferson Davis, *Rise and Fall of the Confederate Government* (2 vols., New York, 1881); Horace Greeley, *The American Conflict* (2 vols., Hartford, 1864-67); Edward McPherson, *Political History of the United States during the Rebellion* (Washington, 1882); A. H. Stephens, *Constitutional View of the War between the States* (Philadelphia, 1868); Henry Wilson, *Rise and Fall of the Slave Power in America* (3 vols., Boston, 1872-77); James F. Rhodes, *History of the United States from the Compromise of 1850* (7 vols., New York, 1888-1906); Alexander Johnston, *Representative American Orations* (3 vols., New York, 1888); Abraham Lincoln's *Letters and Other Writings* (Philadelphia, 1865); J. J. Lalor, *Cyclopedia of Political Science, Political Economy, and of the Political History of the United States* (3 vols., Chicago, 1881-88); John Sherman, *Recollections of Forty Years in the House, Senate and Cabinet* (2 vols., Chicago, 1895); E. A. Pollard, *The Lost Cause* (New York, 1866); A. B. Hart (ed.), *American History told by Contemporaries* (4 vols., New York, 1901); J. W. Burgess, *Reconstruction and the Constitution* (New York, 1892); S. S. Cox, *Three Decades of Federal Legislation* (Providence, 1885); *Congressional Globe* (Washington, 1865-73); *Congressional Record* (Washington, 1873-1911).

CHAPTER LII.

1789-1865.

INTERSTATE CONTROVERSIES.*

The Supreme Court sole arbiter in interstate controversies — Boundary disputes between Maryland and Virginia, Rhode Island and Massachusetts, Virginia and Tennessee, Tennessee and Kentucky, Georgia and Florida — Other territorial disputes — Controversy over the extradition of a fugitive slave.

The members of the convention which met at Philadelphia in 1787 were familiar enough with the numerous intercolonial controversies, some of which were still pending, to know that an arbiter must be provided to settle disputes between States. This power they lodged in the Supreme Court of the United States, a power which it has been called upon to exercise many times since. They also gave the Federal courts jurisdiction over controversies between citizens of the same State claiming lands under grants of different States.

The old controversy between Maryland and Virginia over their boundary was revived in 1795, when John Marshall, Thomas Jefferson, Bushrod Washington, and John Taylor were appointed by Virginia to meet the commissioners from Maryland. But this new attempt came to naught. In 1822 Maryland, by an act of her assembly, virtually conceded Virginia's claim up to the northern branch of the Potomac and repeatedly made overtures to Virginia for a settlement. Not until 1834, however, did a

joint commission get to work, though individuals were continuing the dispute through ejectment suits, but their work was interrupted by the Civil War.†

The dispute between Massachusetts and Rhode Island over the northern boundary of the latter was revived in 1791 by Rhode Island, which State had claimed since 1750 that the line was too far south. Unable to reach an amicable agreement with her neighbor, she finally (1832) began suit in the Supreme Court. Daniel Webster served as one of the counsel for Massachusetts and with him, later, was associated Rufus Choate. They moved that the case be dismissed for want of jurisdiction, on the ground that it was a political question; but this motion was overruled, Chief Justice Taney dissenting. Rhode Island could not deny that she had twice agreed with Massachusetts on the line in dispute, but held that the agreement was based

*Prepared for this History by David Y. Thomas, Professor of History and Political Science, University of Arkansas.

† Boyd in *The South in the Building of the Nation*, vol. iv., pp. 136-139.

on false information, and that she had disputed the line ever since discovering the original mistake in 1750. But as no fraud was charged, the Court overruled her contention both on the ground of the agreement twice ratified and on the rule of prescription, Massachusetts having held the disputed territory for 125 years.*

The Virginia-Kentucky boundary controversy with Tennessee also antedated the Revolution. The controversy between Virginia and North Carolina had resulted in two lines known as the Henderson line and the Walker line, respectively. Virginia claimed the southern or Walker line. As it was important for the people living between these two lines to know to whom they owed allegiance, Virginia and Tennessee appointed a joint commission (1801) to determine the true boundary. They compromised by recommending a line half way between the old lines from White Top Mountain to Cumberland (the southwest corner of Virginia), and this recommendation was acceptable to both States.

West of the Cumberland Mountains the Walker line was extended as the boundary between Kentucky and Tennessee, though Kentucky complained that it was too far north. When the two States began to divide the lands west of the Cumberland River, which had been purchased from the Indians by Jackson in 1818, it was found that

the Walker line struck the Cumberland 16 miles above $36^{\circ} 30'$ (the northern charter boundary of Carolina). Kentucky did not demand a re-survey east of the river, but secured a more southerly boundary to the west.

In the land deal of 1802 the United States recognized the 35th degree as the northern boundary of Georgia, but the line was not scientifically determined for several years, until then remaining a fruitful source of controversy. Indeed, it can hardly be regarded as settled yet, for as late as 1893 Georgia appointed a commission to look into this matter.

When the Walker line was continued to the Mississippi River (1819) as the Winchester line, Mississippi, coveting the rich country about the Chickasaw Bluffs (Memphis), contended that it was too far south, but a more accurate survey (1837) showed that it was too far north. Then was fixed the present boundary.

The failure of Andrew Ellicott to continue the United States Florida line east of the Chattahoochee River gave rise to a long drawn out dispute between Georgia and Florida. Ellicott had established a mound at what he considered the head of the St. Mary's River, but Georgia held to a lower boundary. Three different surveys were made and an appeal was taken to the Supreme Court, but all without avail as the suit was dropped when the United States, from its interests in the public lands, threatened to become a party to it. The matter

* R. I. vs. Mass., 12 U. S., 883; 13 U. S., 429; 14 U. S., 81, 16 U. S., 211.

was finally settled by negotiation in 1866, and this action was ratified by Congress in 1872.

When the people of Missouri petitioned for Statehood, they asked to be admitted with the western and northern boundaries as determined by the surveys made (1808-1816) in accordance with the treaty with the Indians in 1808. To this Congress assented, mentioning certain falls in the Des Moines River as the eastern terminus of this survey. In 1837 Missouri sent out three men to locate her northern boundary. After exploring the Des Moines for about 100 miles, they fixed what they thought was the rapids and then surveyed a line to the Missouri, thereby adding to Missouri a strip of 10 miles wide and 200 miles long. Congress disregarded this survey and admitted Iowa with the old Indian boundary. Missouri finally, in 1848, brought suit against that State, but the complaint was not sustained.*

The Mississippi and other rivers designated as boundaries have given rise to many controversies and suits, the object of which was to determine the exact location of the boundary (especially as there had been a change in the river bed) and the extent of jurisdiction. When Georgia surrendered her western lands in 1802, she stipulated that her boundary should be marked by the western bank of the Chattahoochee River. In its lower course the river frequently rose and spread as much as half a mile. Ala-

bama claimed jurisdiction to the low water line and, when Georgia resisted, brought suit in the Supreme Court, but lost her case.*

In the treaty of 1783 the middle of the Mississippi River was designated as the western boundary of the United States, thus following the treaty of 1763. In 1879 the Supreme Court decided against Missouri, which was contending for Wolf Island, then west of the main channel, on the ground that it lay east of the channel when the boundary was fixed.† A similar controversy over Island No. 76 raged between Mississippi and Arkansas from 1839 to 1899. The channel changed several times from the east to the west of the island and then back again, the disputants taking possession accordingly. Finally the Supreme Court awarded the island to Arkansas, on the ground that early in the Nineteenth Century the channel was east of the island.‡ In this decision they followed the treaties of 1763 and 1783 rather than the enabling act which fixed the boundary along the western bank.

The matter of slavery was a fruitful source of controversy and in a few cases gave rise to disputes between the States. In 1861 the governor of Kentucky made requisition on the governor of Ohio for the return of an alleged fugitive from justice charged with aiding a slave to escape, the aid

* Fla. *vs.* Ga., U. S., 621.

† Mo. *vs.* Ky., 11 Wallace, 395.

‡ 205 U. S., 215.

* Mo. *vs.* Iowa, 17 U. S., 337.

having been given in Kentucky. Governor Dennison refused to honor the requisition on the ground that the act alleged was not a crime in Ohio. The Supreme Court was then asked for a writ of mandamus to compel the governor of Ohio to perform his duty under the Constitution. In delivering

the opinion of the Court, Chief Justice Taney held that a governor is in honor and duty bound to surrender fugitives, but that there was no law compelling him to do so, and that Congress could not pass such a law, because it would invade the rights of the States.*

* *Kentucky vs. Dennison*, 24 How., 66.

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AMERICAN MEN OF PROGRESS

From an engraving published by the Scientific American in 1861.

Left to right: Dr. Morton (Anæsthesia); James Bogardus (Iron buildings); Samuel Colt (Firearms); Cyrus H. McCormick (Harvesting machinery); Joseph Saxton (Fine machinery); Peter Cooper, leaning (Organizing of manufacture); Charles Goodyear, seated (Vulcanized rubber); Prof. Henry, standing (Electro-magnetism); J. L. Mott, seated (Iron work); Dr. Nott (Heating of buildings); John Ericsson, standing (Marine engineering); F. E. Sickles (Steam engines); S. F. B. Morse (Telegraph); Henry Burden (Iron-working machinery); Richard Hoe (Printing press); Erastus Bigelow, standing (Carpet loom); Jennings (Friction matches); Thomas Blanchard (Eccentric lathe); Elias Howe (Sewing machine).

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LECTURES
ON THE
GROWTH AND DEVELOPMENT
OF THE
UNITED STATES



Edited by EDWIN WILEY, M.A., Ph.D.
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SERIES THIRTEEN

LECTURES SIXTY TO SIXTY-THREE

Economic Conditions and Progress, 1789—1865

- 60. Land System; Real and Personal Property Values; Wealth
- 61. The Production of Wealth: Industries, Agriculture, Etc.
- 62. Banking and Currency
- 63. Labor and Its Problem



THE UNITED STATES

CHAPTER I.

1789-1865.

LAND SYSTEM: REAL AND PERSONAL PROPERTY VALUES: NATIONAL WEALTH.

Turning points in our land history — Sale of public lands after the Ordinance of 1787 — Territorial expansion by purchase and annexation — The liberal policy in the disposition of public lands — National land bureau under the Department of the Interior — Record of government sales of land from 1821 to 1865 — The last days of the manorial land system — Property in the various States at the close of the Revolution — Assessed valuation for 1813 — The first true valuation of 1850 — Improved and unimproved farm lands in the States — Remarkable growth in property in the South — Conditions preceding the Civil War — Nature of colonial wealth — Foundation for its subsequent growth — Estimates for the first decades of the Nineteenth century — Remarkable increase in fifty years — The Bank of the United States as a factor in this expansion — Estimates of National wealth since 1850 — Our material status compared with that of European nations — Uninterrupted prosperity since the Civil War — Details and causes.

Land.

THREE things in particular characterized the land history of the United States in the seventy years preceding the Civil War: the settlement of the Northwest domain, the acquisition of new territory by purchase or by conquest, and the wiping out of the last vestiges of feudal ownership in New York State.

After the passage of the Ordinance of 1787 the sale of the public domain proceeded slowly, although the settlement of the country had already reached considerable proportions. The sale of the land was entrusted to the Secretary of the Treasury, and under him the laws were executed by a land office, with a commissioner at its head. In 1797 the first sales took place in New York, where a tract on the shores of Lake Erie was acquired by Pennsylvania for the purpose of a port. It was there that the city of

Erie was ultimately founded. The first land office in the Northwest Territory was opened in 1800 at Chillicothe, where all the sales were made for several years thereafter. In 1800 the Territory was divided into two separate governments, Indiana and Ohio, and two years after the latter was admitted to statehood. In 1807 land offices were opened in Indiana and in Mississippi; in 1809, one in Alabama; in 1814, one in Illinois, and in 1818, one each in Louisiana and Michigan.

During the decades 1790-1800, 1800-1810, and 1810-1820, the increase of population in the Territory was 276,769, 492,678, and 1,201,248 respectively, or a total of 2,079,563. During the same decades the number of acres of land sold was 1,536,152, 3,008,982 and 8,499,673 respectively — a total of 13,044,807.

Prior to 1803 nearly all the Govern-

ment land was in the great Valley of the Mississippi. In 1790 the population of that section was about 109,000, but by 1800 it had increased to nearly 400,000. The only outlet for the produce of these people was down the Mississippi River through the French territory of Louisiana. Here lay one of the prime reasons for the purchase of Louisiana in 1803, by which the United States acquired an additional domain of about 1,000,000 square miles. Although Louisiana had been a French and a Spanish province, feudalism had never been established there. Grants of land were all allodial and were made under no other conditions than those of cultivation and improvement within limited periods: in fact, they were held essentially in fee-simple.* Thus the tenure of land in the new territory presented no features essentially different from those existing in the older parts of the United States.

The boundary dispute with Spain resulted in the addition of the Florida territory to the land possessions of the United States. By the annexation of Texas in 1845 the United States expanded, but by that transaction nothing was added to the public domain. Subsequent National acquisitions were those of California and New Mexico in 1849, of the Gadsden purchase in 1853, and of Alaska in 1867.

The following table shows the growth of the territory of the United

States by annexation and by purchase after the treaty of 1783 and the cessions from the several States (1781-1802), to and including the acquisition of Alaska in 1867.*

	Square Miles	Acres
1803 Louisiana Purchase...	1,182,752	756,961,280
1819 Florida Purchase....	59,268	37,931,520
1845 Texas Annexation...	274,356	175,587,840
1848 California Acquisition	522,568	334,443,520
1850 Texas Purchase.....	101,767	65,130,880
1853 Gadsden Purchase....	45,535	29,142,600
1867 Alaska Purchase....	577,390	369,529,600
Total	2,763,636	1,768,727,040

Aside from the loss of life in war and the cost of military operations, all this territory cost the United States \$88,157,389 in direct cash payments, besides the sums paid in liquidation of claims of American citizens against the selling governments and in liquidation of Indian titles.

From the passage of the Ordinance of 1785 to June 30, 1865, the Government realized from the sale of lands, fees, etc., as follows:

1787 Sold at New York — 79,974 acres	\$117,108.24
1790 Sold at Pittsburg — 143,446 acres	100,427.53
1792 To State of Pennsylvania....	151,640.25
1792 To John Clevcs Symmes — 272,540 acres.....	189,693.00
1792 To the Ohio Company — 892,900 acres.....	642,856.66
1796-1865	177,328,675.30
	<hr/> \$178,530,400.98

In the beginning the disposition of the public lands was considered from two points of view. It was regarded as a source of future revenue to the United States and as a stimulus to the

* *Historical Collections of Louisiana*, vol. i, p. 15.

* Estimates of the extent of the Louisiana Purchase vary greatly, depending on the western boundary of the purchase accepted by those who made the estimates. Some give the area as low as 875,000 square miles.

formation of new States. During the early years of the Republic this conservative policy was followed. Gradually, however, the lands ceased to be an object of revenue, and more and more were disposed of with a view to settlement and development. Grants were made to States, corporations and individuals without compensation, and in course of time this liberal policy resulted in many flagrant abuses. Large grants were made to States for commendable purposes, such as education, and other grants were made to corporations to encourage the building of railroads. It was in the grants to corporations and individuals for business and speculative purposes that most of the wrong-doing that discredited the land department of the Government in the Nineteenth century developed. Nevertheless, despite all fraud and weakness, the land policy of the country has been the prime source of our National greatness. The following table shows how the country grew in area of settlement and in population in each census decade from 1790 to 1860:

Years	Area of settlement in square miles	Population
1790	239,935	3,929,214
1800	305,708	5,308,483
1810	407,945	7,239,881
1820	508,717	9,658,453
1830	632,717	12,866,020
1840	807,292	17,069,453
1850	979,249	23,191,876
1860	1,194,754	31,443,321

In 1812 the public lands office was established as a bureau of the Treasury Department, but in 1836 the duties

of the commissioner in charge were greatly enlarged and the office placed under the immediate direction of the President. When the Department of the Interior was created in 1849, the land office was placed in that department. The commissioner has entire charge of the public domain, his duties being to discharge or supervise all executive acts appertaining to the surveying and sale of the lands and to keep the necessary records thereof. The annual reports of the commissioner have been exceedingly valuable, constituting a complete history of the public domain from its beginning, its original acquisition, its growth and the disposition that has been made of it.

Beginning with 1821 and ending with 1865, the annual Government sales of acres of land were as follows:

1821	822,188
1822	763,811
1823	638,749
1824	728,038
1825	871,619
1826	839,263
1827	908,937
1828	946,650
1829	1,236,445
1830	1,880,019
1831	2,804,745
1832	2,411,952
1833	3,856,227
1834	4,688,218
1835	12,564,478
1836	20,074,870
1837	5,601,103
1838	3,414,907
1839	4,976,382
1840	2,236,889
1841	1,164,796
1842	1,129,217
1843	1,606,264
1844	1,754,763
1845	1,843,527

1846	1,263,730
1847	1,521,305
1848	1,887,553
1849	1,329,902
1850	769,364
1851	1,846,847
1852	1,553,071
1853	1,083,495
1854	7,038,735
1855	15,729,524
1856	9,227,878
1857	4,142,744
1858	3,804,908
1859	3,961,580
1860	4,000,000
1861-65	9,109,075

To 1870 the total sales of lands, including grants under the homestead laws, were 176,488,736 acres. In addition to the lands sold, the Government donated land as follows:

	Acres
Schools	69,066,802
Agricultural colleges	6,851,989
Deaf and dumb asylums	44,971
Internal improvements	12,403,054
Individuals	2,240,184
Seats of government	146,860
Military services	61,076,922
Salines to States	514,588
Indian reserves	13,980,700
Private claims	17,645,244
Swamplands to States	47,875,246
Railroads	27,453,522
Reserved for individuals, companies and corporations	8,955,394
Remaining unsold	1,396,286,164

As an inheritance from the early colonial period, New York had a firmly fixed and extensive manorial system of land ownership. In addition to the early grants along the Hudson River — the Van Rensselaer, Livingston, Cortland, Pelham and others — the practice had sprung up of acquiring large tracts of land for speculative purposes rather than for settlement

and development. Most of these were in the central or western part of the colony. Among them were such estates as the Desbrosses (60,000 acres), the Morgan Lewis (20,000 acres), the Verplanck (50,000 acres), the Harper (250,000 acres), acquired in 1678, and the Blenheim (40,000 acres), acquired in 1769. At the close of the Revolution New York became the owner of the unsold crown lands within its bounds and proceeded to dispose of them, with a generous hand, to individuals and companies. Thus in 1791 came into existence the Macomb purchase of 3,635,000 acres, in 1788 the Phelps and Graham purchase of 2,600,000 acres, in 1792 and 1793 the Holland purchase of some 3,600,000 acres, and others. Some of these lands were sold outright to settlers in parcels of moderate size, but greater areas were rented on long or perpetual leases. Various conditions of rent payment attached to these leases, and in course of time the tenants began to feel that their rents were a heavy burden and that the inability to become owners in fee-simple of the farms which they had reclaimed from the wilderness was even a more grievous cause for complaint.

The system operated not only to the detriment of the tenant land-holders, but also adversely affected the occupancy and improvement of these parts of the States. Agitation against the system began to manifest itself vigorously before the end of the century. In 1795 inhabitants of Columbia

petitioned the Legislature for relief from the owners of the Livingston manor. From that time on the agitation continued, memorials upon the subject being repeatedly submitted to the Legislature, though without result. Riots and resistance to law characterized the controversy before the matter was settled.

In 1839 the movement culminated in disorders in the eastern and south-eastern counties of the State, beginning on the Van Rensselaer estate. Farmers refused to pay rent, writs of ejectment were issued against them, resistance was made to the service of the writs by the sheriff, many personal outrages were committed, and the militia was called out several times to suppress disorder. Anti-rent associations were formed, an anti-rent newspaper was established, and numerous conventions were held. Finally a sheriff's officer being killed in 1845, the Governor declared the county of Delaware to be in insurrection, and called out the militia to suppress the lawlessness. Reaction in public opinion setting in, a plan was evolved by which the tenants could purchase the rents and reservations in their lease and become the actual owners of their farms. Gradually, through sales to tenants, legislative enactments, constitutional changes and court decisions, the great estates were disintegrated, the last vestiges of the feudal manorial system disappeared, and the leasehold method of landholding was effectually stamped out. In 1848

Governor John Young, in his annual message, estimated that 1,800,000 acres were still held on leasehold tenures and that at least 260,000 were directly affected by their provisions. Within twenty years this condition was so changed that not more than 12 per cent. of the farms in the territory involved were held on lease, a proportion not exceeding that in other States. The incident in its entirety is more than ordinarily interesting and is valuable historically as bringing to an end the feudalistic manorial system of landholding which had existed in New York for more than two hundred years, substituting for it the principle of ownership in fee-simple.*

In July of 1789 the first direct tax was voted by the Federal government.

* J. B. McMaster, *A History of the People of the United States* (7 vols., New York, 1884-1910); J. G. Walker, *Eighty Years of Progress in the United States* (Washington, 1861); J. C. Ballagh, *Introduction to Southern Economic History; The Land System*, in *Annual Report of the American Historical Association for 1897* (Washington, 1898); J. A. Doyle, *The English Colonies in America* (New York, 1882); Thomas Donaldson, *The Public Domain* (Washington, 1894); W. C. Ford, *Public Lands in the United States*, in J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy and of the Political History of the United States* (Chicago, 1884); S. Sato, *History of the Land Question in the United States* (Johns Hopkins University Studies, series iv., nos. vii.-ix. (Baltimore, 1886); *Land Laws of the United States; Public Land Laws* (Washington, 1838); United States census reports 1790-1860; J. Winsor, (ed.) *Territorial Acquisitions and Divisions*, in *Narrative and Critical History of America*, vol. vii. (8 vols., Boston and New York, 1889); B. A. Hinsdale, *The Old Northwest* (New York, 1888); annual reports and publications of the United States General Land Office.

Real and Personal Property.

The amount, \$2,000,000, was apportioned to the several States to be paid according to the value of real estate and slaves. Several States paid their quota of the tax without essaying to make an assessment; others made a valuation of property the basis for distributing the tax. The total property then owned in sixteen States was estimated at \$619,977,247, which has been accepted as a fairly accurate estimate of the property value at the close of the Revolution (from 1785 to 1789). In 1813 and again in 1815 a similar tax was laid and similar assessments were made. While the assessment roll of 1789 showed the value of property at the close of the colonial period, those of 1813 and 1815 showed the wealth of the country at the beginning of the Republic.

The assessed values in the several States in 1813 were:

New Hampshire	\$36,957,825
Massachusetts	149,253,514
Rhode Island	24,567,020
Connecticut	86,550,033
Vermont	32,747,290
New York	266,067,145
Delaware	14,361,469
Maryland	129,016,483
North Carolina	92,197,497
Tennessee	38,411,911
Louisiana	4,597,550
Total	\$874,727,737

In 1815 the assessed values were:*

New Hampshire	\$38,745,974
Massachusetts	143,765,560
Rhode Island	20,907,766

* Adam Seybert, *Statistical Annals*, p. 502 et seq.; Timothy Pitkin, *Statistical View of the Commerce of the United States*, *passim* (2d ed., 1817).

Connecticut	\$81,534,971
Vermont	32,461,120
New York	273,120,900
Delaware	14,493,620
Maryland	122,577,572
North Carolina	93,723,031
South Carolina	123,416,512
Tennessee	35,408,052
Virginia	263,737,699
New Jersey	98,612,083
Pennsylvania	346,633,889
Georgia	57,972,158
Kentucky	87,018,837
Ohio	61,347,215
Total	\$1,902,296,961

It is believed that the figures, especially those of the Southern States in 1789, represent considerable under-valuation. Pitkin places the value of dwelling houses and lands in 1815 at \$1,631,657,224 and of the 1,200,000 slaves (at an average value of \$250) at \$300,000,000, making a grand total of \$1,931,557,224. He rates the increase from 1789 to 1815 at \$950,293,806. The average value of land per acre in the respective States in 1815 was approximately as follows: New Hampshire, \$9; Massachusetts, \$18; Rhode Island, \$39; Connecticut, \$31; Vermont, \$6.40; New York, \$16.50; New Jersey, \$35; Pennsylvania, \$39; Delaware, \$13; Maryland, \$20; Virginia, \$4.15; North Carolina, \$2.50; South Carolina, \$8; Georgia, \$2.50; Kentucky, \$4; Tennessee, \$6. The average throughout the United States was about \$10 per acre. It will be observed that in the South, where most of the land was owned, the price per acre was the lowest. In no Southern State save Maryland was the aver-

age price per acre as high as the lowest average in the Northern States.

In the ten States in which valuations were made both in 1789 and 1813 there was an increase in the value of lands of 123 per cent. in the twenty-four years. In the same period the increase of population in the same States was from 2,828,597 in 1803, to 3,701,327 in 1810, and to 47,000,000 in 1813. The percentage increase in land value was more than double that of population. There is no doubt that the ratio in the States where there was no valuation of lands in 1813 was substantially the same. But in the years immediately following (the period of the war of 1812) there was either no increase or an actual falling off in land values. The war, by interrupting foreign commerce, prevented any increase in the aggregate value of landed property and thus arrested the progress of the National wealth in that direction. A study of these figures shows a considerable difference in the total and the percentage increase in the various States, even when compared with the different increases in population. The increase varied also at different periods, being materially affected by the extension or depression of foreign commerce, the rising demand for agricultural products, the development of manufacturing, and the depreciation of currency in most of the States during the war and after.

In 1850 the first true valuation of

real and personal property in the United States was taken for the census of that year. The total true or estimated value was \$7,133,369,725 representing a per capita of \$308; the total assessed value was \$6,010,207,309, representing a per capita of \$260. In this valuation slaves were included, but not stocks or bonds owned by the State or by the National government. Moreover, it was believed at the time that the figures were probably 20 per cent. below actual facts.*

The true valuations in 1850 by the separate States and Territories were as follows:†

Maine	\$122,777,571
New Hampshire	103,652,835
Vermont	92,205,049
Massachusetts	573,342,286
Rhode Island	80,508,794
Connecticut	155,707,980
New York	1,080,300,216
New Jersey	200,000,000
Pennsylvania	722,486,120
Delaware	18,652,053
Maryland	219,217,364
District of Columbia.....	14,018,874
Virginia	430,701,082
North Carolina	226,800,472
South Carolina	285,257,698
Georgia	335,425,714
Florida	22,862,270
Alabama	228,304,382
Mississippi	228,951,130
Louisiana	223,908,764
Texas	52,740,473
Arkansas	39,841,025
Tennessee	201,246,686
Kentucky	301,638,456
Ohio	301,628,456
Michigan	59,787,255

* J. D. B. DeBow, *Natural Resources of the South and West*, vol. iv., p. 185.

† The figures for New Jersey were merely estimates. New Mexico, Oregon and Utah were the Territories. No valuations were taken in Minnesota, which was then a Territory.

Indiana	\$202,650,264
Illinois	156,595,006
Missouri	137,247,707
Iowa	23,714,638
Wisconsin	42,056,595
California	22,161,872
New Mexico	5,174,471
Oregon	5,063,474
Utah	986,083

The number of acres of farm land was: Improved, 118,457,622; unimproved, 184,621,348; total, 303,078,970; value, including buildings, \$3,270,733,-093. This made about seven and one-half acres of improved land to each inhabitant of the United States, whether resident in cities or country, or about 12 acres to each rural resident. In New England the average was a little more than four acres to each person; in New York and Pennsylvania and other Middle States, $3\frac{9}{10}$ acres; in Tennessee, 5 acres.

The largest improved acreage lay in New York, Kentucky, Virginia, Ohio, Pennsylvania, Georgia, North Carolina, Tennessee, Indiana, Illinois—in the order named, ranging from 12,408,968 acres in New York to 5,039,-545 in Illinois. The States showing the largest cash values of the total of improved and unimproved land were:

New York	\$554,546,642
Pennsylvania	407,876,099
Ohio	358,758,603
Virginia	216,401,441
Kentucky	154,330,202
Indiana	136,385,173
New Jersey	120,237,511
Massachusetts	109,076,347
Tennessee	97,851,212
Illinois	96,133,290
Georgia	95,753,445
Maryland	87,178,545
South Carolina	82,431,684

No other State exceeded the \$75,-000,000 mark. The States in which the highest cash values per acre prevailed were:

District of Columbia.....	\$63.03
New Jersey	43.67
Massachusetts	32.50
Rhode Island	30.82
Connecticut	30.50
New York	29.00
Pennsylvania	27.33
Ohio	19.93
Delaware	19.75
Maryland	18.81
New Hampshire	16.28
Vermont	15.36
Louisiana	13.71
Maine	12.04
Michigan	11.83
Indiana	10.06

From that point the figures, beginning with \$9.58 per acre in Wisconsin and \$8.27 in Virginia, went to \$1.00 in Texas and 99 cents in California. The average cash value per acre, including States, the District, and Territories, was \$10.70.*

In the decade immediately preceding the Civil War there was an increase in property values more remarkable than any previous one in the history of the country. In 1860 the total valuation of the real and personal property was \$16,159,616,068, representing a per capita of \$514 and a percentage increase of 126; the assessed valuation was \$12,084,560,005, representing a per capita of 384 and a percentage increase of 100. This advance was measured in no small degree by the amount of the improved

* In fourteen States and the District of Columbia the average figures were exceeded.

and unimproved farm lands reported in the census of 1860. The acres improved were nearly 163,000,000, and the acres unimproved nearly 244,000,000, making a total of 407,000,000 acres, valued at over \$6,350,000,000. The following table gives an accounting of these lands and their value in the various States and Territories.

States	Acres	Acres	Cash value of lands
Arkansas	1,983,313	7,590,393	\$91,649,773
California	2,468,034	6,262,000	48,726,804
Connecticut	1,839,807	673,457	30,830,005
Delaware	637,065	367,230	46,426,357
Florida	654,213	2,266,915	16,435,727
Georgia	8,062,758	17,587,732	157,072,803
Illinois	13,096,374	7,815,615	408,944,633
Indiana	8,242,183	8,146,109	356,712,175
Iowa	3,732,792	6,277,115	119,899,547
Kansas	465,468	1,377,352	12,258,239
Kentucky	7,644,208	11,519,053	291,496,955
Louisiana	2,797,198	6,591,468	294,789,692
Maine	2,704,132	3,023,338	78,688,525
Maryland	3,062,267	1,833,304	145,973,677
Massachusetts	2,115,512	1,183,212	123,255,948
Michigan	3,476,296	3,554,538	160,836,495
Minnesota	556,250	2,115,718	27,505,922
Mississippi	5,063,755	10,773,929	190,760,367
Missouri	6,246,871	13,737,939	232,632,126
New Hampshire	2,367,934	1,377,591	69,689,761
New Jersey	1,944,441	1,039,084	180,250,338
New York	14,358,403	6,616,555	893,343,593
North Carolina	6,517,284	17,245,685	143,301,065
Ohio	12,623,394	7,846,747	678,132,991
Oregon	896,414	1,164,125	15,200,593
Pennsylvania	10,463,296	6,548,844	662,050,707
Rhode Island	335,128	186,096	19,550,553
South Carolina	4,572,060	11,623,829	139,652,508
Tennessee	6,795,337	13,873,828	271,358,985
Texas	2,650,781	22,693,247	88,101,320
Vermont	2,823,157	1,451,257	94,289,045
Virginia	11,437,822	19,679,251	371,761,661
Wisconsin	3,746,167	4,147,420	131,117,164
Territories :			
Alaska	6,385,724	12,718,821	175,824,622
Dakota	2,115	24,335	96,445
Nebraska	118,789	512,425	3,878,326
Nevada	14,132	41,986	302,340
New Mexico	149,274	1,265,635	2,707,386
Utah	77,269	12,692	1,333,355
Washington	81,869	284,287	2,217,842
District of Columbia	17,474	16,789	2,989,267

One of the most interesting phases of property development of the first seventy years of the Republic was the growth of wealth in the South. In 1789 the population of the eight free States was slightly in excess of that of the eight slave States, but in the eight free States the value of lands and houses was over \$422,000,000 while in the eight slave States the value was a

little less than \$200,000,000, including slave property valued at less than \$70,000,000. But with the expansion of the cotton-raising industry after the invention of the cotton-gin and the introduction of cotton mill machinery, the South grew in wealth rapidly and from being relatively poorer than the North in 1800 it was the richest section of the country in 1860. In the North in 1850 two-thirds of the real estate was in holdings of less than \$5,000 while in the South four-fifths of the real estate was in holdings larger than \$5,000. In the slave States there were four times as many holdings of over \$5,000 as in the North and one hundred times as many individuals worth \$50,000 or more. Land in the South in 1860 was worth only \$9.28 per acre and in the North \$25.30 per acre; but the South's personal property, including slaves, was so much more that it overcame the difference in land values. The per capita wealth in the South was \$500 and in the North \$487.*

* Adam Seybert, *Statistical Annals* (Philadelphia, 1818); Timothy Pitkin, *Statistical View of the United States* (Hartford, 1835); J. B. McMaster, *History of the People of the United States* (7 vols., New York, 1883-1910); E. L. Bogart, *Economic History of the United States* (New York, 1907); J. D. B. DeBow, *Industrial Resources of the South and West* (4 vols., New Orleans, 1853), and *Statistical View of the United States* (Washington, 1854); *Hunt's Merchants' Magazine and Commercial Review* (63 vols., New York, 1839-1870); James Curtis Ballagh (ed.), *Economic History, 1607-1865, in The South in the Building of the Nation*, vol. v. (Richmond, 1909); G. S. Callender, *The Early Transportation and Banking Enterprises of the States in Relation of the Growth of Corporations*, in *The Quarterly Journal of Economics*, vol. xvii.

Wealth.

Prior to the Revolution the wealth of the colonies lay almost entirely in real estate (lands and buildings), ships, agricultural products, fisheries, and commerce. There was no mining, no manufacturing, no railroading — none of those financial and industrial enterprises which were destined in the next century to enrich the country.

At the beginning of the Nineteenth century the estimated value of the occupied land in the United States was about \$1,000,000 and in 1815 it was nearly \$2,000,000,000. This was the foundation of our National wealth. But our commercial wealth began to come earlier. In 1789-92 the annual average of our exports of domestic products was \$13,500,000, although our average annual imports exceeded our exports by \$5,500,000.

The first estimate of our gross National wealth was made for the year 1791, the amount then being \$750,000,000. In the early years of the Republic statistics were infrequently gathered, inadequate, and often inaccurate. They were deduced from various sources, not many of them governmental or at all official. While not absolutely reliable, they were fairly sound and comprehensive. The

country was small, industrial interests were not numerous, or diversified, and the affairs of individuals were matters of more common knowledge than they are now. Thus the estimates of wealth in the first part of the century are perhaps close enough to actual facts. For 1800 the estimate was \$1,072,000,000; for 1810, \$1,500,000,000; for 1816, \$1,800,000,000; for 1820, \$1,882,000,000; for 1830, \$2,653,000,000 and for 1840, \$3,764,000,000. These figures do not indicate a rapidly growing prosperity. In forty years the wealth of the country increased from \$1,072,000,000 to \$3,764,000,000, a little over 250 per cent. (an average annual increase of between 6 and 7 per cent.). It will be observed that the bulk of this increase came in the two decades 1820-1840, when the amount rose from \$1,882,000,000 to \$3,764,000,000, about 100 per cent. (an average annual increase of about 5 per cent.), while the preceding decade, 1810-1820, falls much behind that annual average on account of the commercial depression of the period and the war of 1812, the increase for the ten years being only \$382,000,000 (less than 26 per cent.).

By 1839-41 the annual average of our imports had risen to \$132,393,000, while our annual average of exports was \$107,937,000, the balance of trade still being against us. From 1810 to 1840 manufacturing developed to a wonderful extent. For lack of precise statistics there is some difficulty in making actual comparisons in those

(1902); E. C. Seaman, *Progress of Nations* (London, 1861); Woodrow Wilson, *A History of the American People* (5 vols., New York, 1902); George Bancroft, *History of the United States of America* (5 vols., New York, 1883-85); J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy, and of the Political History of the United States* (3 vols., Chicago, 1881).

three decades. But in general the increase was from \$59,574,660 in 1810 to \$186,079,592 in 1840 (or 212 per cent. in thirty years). In 1820 the number of persons employed in manufacturing was 56,296 and in 1840, 455,668.

The increase of precious metals during these fifty years is another certain indication of growing wealth. In 1791 it was estimated that the currency of the United States, then almost wholly metallic, was between \$9,000,000 and \$16,000,000.* The extreme estimates were wide apart, but a more careful estimate, made by the Treasury Department in 1821 and based upon better data, placed the amount at from \$18,000,000 to \$20,000,000. From 1821 to 1841, according to the custom-house returns, the imports of specie and bullion were \$181,589,814 and the exports \$138,085,922, leaving a balance of \$43,503,892, which, added to the estimated amount then in the country (\$19,000,000), gave a total of \$62,503,892. Adding to this the product of domestic mines during 1820-41 (about \$7,000,000) and deducting the amount consumed by wear and used in manufacture (about \$12,000,000), the net amount of specie in the country in 1840 comes to \$57,503,892. From a general consideration of all the foregoing figures, it appears that in the fifty years (1790-1840) the wealth of the country in land, imports and exports, manufactures, and specie, increased decennially to a total of 601 per cent. During the same period the decennial

increase in population was 371.94. The ratio of the decennial increase of capital and wealth to that of population was nearly as 50 to 31.*

In 1791 the Bank of the United States was established, with a charter limiting its existence to twenty years. It had a capital stock of \$10,000,000, of which the United States owned \$2,000,000 (which it sold in 1796 and 1797 at a profit of \$671,860). Most of the remaining \$8,000,000 was taken by citizens of the United States, who bought also most of the \$2,000,000 when that was sold by the Government. In 1816 the second United States Bank was established, with a capital of \$35,000,000, to continue until 1836. The United States subscribed for \$7,000,000 of the capital stock and the remaining \$28,000,000 was taken by individuals and corporations, only a small proportion going into foreign hands. These investments constituted part of the wealth of the country.

Beginning with 1850, the year of our first reliable census, statistics became more reliable. The estimates of wealth from that time were based for the most part upon census figures. From \$24,300,000,000 in 1865, the wealth of the country increased to \$35,000,000,000 in 1870; \$43,000,000,000 in 1880; \$66,356,000,000 in 1890; \$79,111,000,000 in 1895; \$84,000,000,000 in 1900; \$107,000,000,000 in 1904; \$125,000,000,000 in 1910. An interesting

* George Tucker, *Progress of the United States in Population and Wealth in Fifty Years*, pp. 202-209.

* Adam Seybert, *Statistical Annals*, p. 551.

comparison can be made with the estimated wealth of the principal nations of Europe. In 1910 the wealth of Great Britain and Ireland was \$70,000,000,000; of France, \$45,000,000,000; of Germany, \$45,000,000,000; of Russia, \$35,000,000,000; of Austria-Hungary, \$20,000,000,000; of Italy, \$15,000,000,000; of Belgium, Spain, Portugal, Netherlands and Switzerland, \$22,300,000,000. The wealth of the United States was then more than half as much as that of all the nations of Europe combined; it surpassed that of Great Britain and France combined; was equal to that of France, Germany and Russia together; and was two and a half times that of all the other European nations combined.

The increase from 1865 to 1910 was more than \$100,000,000,000 (more than 400 per cent. in the 45 years). The increase from \$1,000,000,000 in 1800 to \$125,000,000,000 in 1910 was prodigious and almost beyond human comprehension. Roughly speaking, it was about $3\frac{1}{2}$ per cent. per annum, compounded annually.

From 1840 to 1860 was a period of solid National prosperity — a golden age of progress in all lines of material activity. The wealth of the country increased from about \$3,764,000,000 in 1840 to \$14,183,000,000 in 1860, or nearly 300 per cent. (an average of some 15 per cent. annually). In the decade 1840-1850 the increase was a little less than 70 per cent. and in the next decade it was over 150 per cent.

The Civil War checked, but did not wholly destroy, this progress. The increase in wealth from 1860-1865 was from \$14,183,000,000 to \$24,300,000,000, or more than 70 per cent.

Causes for this phenomenal increase in the middle of the century are not difficult to find. The population of the country was growing rapidly; the tide of immigration was setting in strongly; the abrogation of the English corn laws and other changes had opened foreign markets to us, and our exports advanced to big figures; gold was discovered in California; railroads were extending and opening up new sections of the country and helping to develop new resources. It was particularly noteworthy that the accumulating wealth should have been equally distributed. European travelers observed and commented upon the general absence of poverty wherever they went. There were inequalities, to be sure, but they were less marked than they were destined to become in later generations. The South was richer than the North; its ownership of slaves, its profiting by unpaid slave labor and the enhanced value of its land by reason of its cotton and tobacco staples, gave to that section this great advantage in acquiring wealth.

In 1850 the estimated income of the people of the United States arising from labor and capital employed in agriculture and on farms was \$660,000,000. The income from manufacturing, mechanical and mining in-

dustries was \$465,000,000; from commerce, navigation and transportation, \$225,000,000; from the forests, \$50,000,000; from fisheries, \$10,000,000; the total income being \$1,410,000,000.*

The capital invested in manufacturing and mining industries in 1850 was \$74,500,000 and the total value of the products was \$61,870,000, including the cost of raw material — a net value of products of \$27,000,000, which was so much added to the wealth of the country.

In 1825 it was estimated that nations required 60 years in which to double their capital. The exception was the United States, which doubled it in 25 years. New conditions by the middle of the century — the coming of the steam engines, railroads, steamships, the telegraph and manufacturing — made a complete and decided change in this estimate. In 1850 the United States, with a population of 23,200,000, had wealth amounting to \$8,430,000,000 (nearly \$363 per capita); in 1870, with a population of 38,600,000, it had wealth amounting to \$35,370,000,000 (\$916 per capita); in 1884, with a population of 55,500,000, it had wealth reaching \$51,670,000,000 (\$931 per capita). From 1850 to 1884 the capital of the United States multiplied a little more than sixfold, while the population had increased a little more than two and a half times. In 1850 the per capita wealth of Great

Britain was \$948; in 1870, \$1,103; and in 1884, \$1,249. In France the per capita wealth in 1850 was \$443; in 1870, \$703; and in 1884, \$1,092.

In 1860, 32 per cent. of the capital of the United States was in the New England and Middle States, which in 1880 had 45 per cent. of the capital. During the same 20 years the capital of the West had increased from 36 to 46 per cent. of the whole, while, in consequence of the Civil War, that of the South had almost completely disappeared. It is estimated that the loss of the South in capital between 1860 and 1870 amounted to nearly \$2,500,000,000. The accumulations of capital per annum were \$1,093,000,000 between 1850 and 1860; \$1,847,000,000 between 1860 and 1870; \$1,212,000,000 between 1870 and 1880; total from 1850 to 1880 (disregarding the South in the decade 1860-70), \$1,302,000,000. The average annual accumulation per capita was \$41 in 1850-60, \$46 in 1860-70 (exclusive of the South), \$27 in 1870-80; the average between 1850-80 thus being \$35.*

* M. G. Mulhall, *The Increase of Wealth*, in *The North American Review*, vol. xli., p. 78. In connection with this subject see also Timothy Pitkin, *Statistical View of the United States* (New Haven, 1835); J. D. B. DeBow, *Industrial Resources of the South and West* (4 vols., New Orleans 1853), and *Statistical View of the United States* (Washington, 1864); Sir S. Morton Peto, *Resources and Prospects of America* (London, 1866); T. D. Woolsey (ed.), *The First Century of the Republic* (New York, 1876); C. M. Depew (ed.), *One Hundred Years of American Commerce* (2 vols., New York, 1895); *Hunt's Merchants' Magazine and Commercial Review* (63 vols., New York, 1839-1870); J. B. McMaster,

* E. C. Seaman, *Essays on the Progress of Nations*, p. 629.

CHAPTER II.

1789-1865.

INDUSTRIES AND AGRICULTURE.

Hamilton's report on industries in 1791 — Inventions — Agricultural implements — Textile machinery — Value of textile products — Value of products in 1850 — Coal-mining — Illuminating and mineral oils — Iron — Gold — Copper — Value of products in 1860 — Cereal production — Agricultural expansion — Cotton — Tobacco — Rice — Sugar — Hemp and Flax — Agricultural societies — Agricultural education.

Industries.

Before the middle of the Eighteenth century the industrial characteristics of the North and the South were clearly defined. Owing to its fertile soil, its equable climate, and its big plantation system of land ownership, the South had become almost exclusively agricultural; in New England, for exactly opposite reasons, manufacturing had become dominant. As yet New York was mostly absorbed in trade and Pennsylvania was unconsciously waiting for the future revelations of the vast stores of iron, coal and petroleum that were destined to bring imperial wealth to her within the next ten or twelve decades. Broadly speaking, the industrial development of those parts of the country which had been occupied before the century had closed continued practically unchanged along the lines indicated until the Civil War and its attendant events brought about a radical change in the social and industrial conditions. When the Revolution came to a suc-

cessful close the country was naturally in a depressed condition; but before the Nineteenth century had begun, industrial and commercial recovery was assured and the United States had started upon the marvellous career which has since distinguished it and placed it among the leading nations of the earth.

The able and voluminous report which Secretary of the Treasury Alexander Hamilton laid before Congress in 1791 was a broad and comprehensive survey of the condition of manufacturing in the United States as well as an argument for a protective tariff for the encouragement of those industries. In this report the Secretary enumerated the industries which at that time were so well developed that they supplied the home market and which were carried on "as regular trades" capable of being raised to the status of exports. These manufactures were: skins and leather; flax and hemp (but not cotton); iron and

History of the People of the United States (7 vols., New York, 1883-1910); Woodrow Wilson, *A History of the American People* (5 vols., New York, 1902); George Bancroft, *History of the United States of America* (5 vols., New York,

1883-85); J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy and of the Political History of the United States* (3 vols., Chicago, 1881); United States census reports, 1850-1860.

most implements of iron and steel; bricks and pottery; starch and hair powder; brass and copper utensils, particularly andirons and philosophical apparatus and utensils for brewers and distillers; tinware and carriages; lamp-black and other painter's colors; refined sugars, oil, soaps, candles, hats, gunpowder, chocolate, silk, shoes and "women's stuffs;" snuff and chewing tobacco. "Besides these," the report added, "there is a vast scene of household manufacturing, which contributes more largely to the supply of the community than could be imagined without having made it an object of particular inquiry." Omitting agriculture, ship-building, lumbering and mining, the report was a substantially accurate exposition of the scope and character of the industries of the country at that time. A year earlier (in 1790) Mr. Tench Coxe, Assistant Secretary of the Treasury, estimated the annual value of the manufactures of the United States for that year at over \$20,000,000.

In its omissions, too, the report is an historical document of invaluable suggestiveness. It contained almost no reference to the great natural resources of the country destined to revolutionize the National industries within the next seventy-five years. At the close of the century there was but a faint idea of the wonderful development so soon to come. Referring to coal, for example, the Secretary notes only that "there are several mines in Virginia now worked and appearances

of their existence are familiar in a number of places." All that he could say of cotton was that "there is something in the texture which adapts it in a peculiar degree to the application of machines," expressing the hope that the quality of American cotton might greatly improve. Iron mining and manufacturing was not regarded any more highly than other industries, nor was there any hint of other mineral resources.

Territorial expansion, mechanical and manufacturing progress, and mining development were the notable industrial characteristics of the first three quarters of a century of National existence. Merely to name the mechanical devices which belong to that period would require columns of space. As we have seen, industrial machinery was only beginning to be known at the close of the Revolution. The great advance in this respect came after 1800. At that time there were no steamships, no railroads, no telegraphs. Textile machinery was as yet in the experimental stage. Agricultural implements were crude and worked by hand or animal power. Very few gentlemen's carriages were owned anywhere and country wagons were both few in number and rudely constructed. The steam engine had made its appearance, but was not yet extensively used. Gas, coal and petroleum were yet to come. The mines of gold, silver, copper and other precious metals which were the dreams of the first ad-

venturers to the continent still remained undiscovered.

Invention began in the colonial period, but after National existence was fully entered upon it progressed rapidly. The record of patents shows how it advanced in leaps and bounds. England had a patent system before 1680 and 205 patents were granted there prior to 1700; during the ensuing hundred years the patents granted were 2,096, of which number 675 were in the decade 1790-1800. In the United States previous to 1790 the patents to such inventors as Fulton, Fitch, Rumsey, Evans, and others were granted by individual States. After 1790 the National patent system was in operation. During the first decade 1790-1800 the United States granted 306 patents, as contrasted with England's 675. In the next decade the record was—the United States 1,086 and England 936. Thenceforth the United States easily retained the lead. From 1810 to 1860 the record was—the United States 39,304 and England 35,235.

To the aid of agriculture came new machines or improvements of the old, by which labor was reduced and production increased almost to an incredible degree. The improved plow, with iron share and mouldboard, came in the first part of the century, as a result of the experiments of Jefferson (1788-1793), Newbold (1797), Peacock (1807), Wood (1819), Pickering (1820) and others. Then came the steam plow, which demonstrated its

usefulness in the middle of the century. About the middle of the century, too, after 25 years of experimentation, reaping machines began to displace the scythe and sickle on a large scale. The McCormick reaper was first patented in 1834. Threshing machines appeared as early as 1822, and in 1830 and 1831 sixty patents were granted for such machines. The total value of agricultural implements produced was \$6,842,611 in 1850 and \$17,802,514 in 1860. This large increase was due to the extraordinary development in this line of industry in the States of the new West, where the figures rose from \$1,923,927 in 1850 to \$7,955,545 in 1860. The percentage of increase was astounding in several instances, being 382 in Ohio, 235 in Illinois, 201 in Wisconsin, 386 in Indiana, and 1,250 in Michigan.

Textile machinery was also one of the most important products of this period. The introduction of the factory system, principally in Massachusetts and Rhode Island, began in the closing years of the century. This called for power looms, spinning machines, spindles and other appliances for making cloth from cotton, wool, hemp and other textiles. Stocking frames were built in Philadelphia in 1794 after English models, and the same year several carding machines and spinning frames were made. The first carding engine in New England was made in Newbury, Massachusetts, in 1801 and a large industry in making single and double carding ma-

chines was carried on in Pittsfield, Massachusetts. Before 1810 there had been built nearly 2,000 carding machines over 370,000 spinning wheels, 123,000 spindles, and more than 325,000 power looms. In 1812 the New York Manufacturing Company was incorporated to manufacture cotton and wool cards and in the same year several score patents were issued for spinning and weaving machines and power looms. The first American power loom (invented by Francis C. Lowell that year) was set up and operated in the cotton mill at Waltham, Massachusetts, in 1813. Thenceforth the invention and manufacture of textile machinery kept pace with and aided the expansion of the factory system and the great development of the textile production.

In the Federal census of 1810 the value of cotton, wool, flax, hemp and silk goods (including stockings) produced in the United States was \$39,497,057. There were 801 cotton factories in the country in 1831, 1,240 in 1840, 1,074 in 1850, and 1,091 in 1860. A consolidation of small factories into larger ones accounted for the decrease in the number of establishments between 1840 and 1860. At the same time, however, there was an increase in working capacity and in production. In 1831 the number of spindles in operation was 1,246,703 and in 1860 it was 5,235,727, while the looms the same years numbered 33,433 and 126,313, respectively. In 1831 a capital of \$40,612,984 was employed in

the cotton industry, and by 1860 this sum had increased to \$98,585,269. The total value of the cotton goods manufactured in the country in 1860 was \$115,681,774, as against \$65,501,687 in 1850. Of the amount for 1860 \$79,359,900 was credited to New England, \$26,534,700 to the Middle States, \$8,460,337 to the Southern States, and \$1,326,837 to the Western States. In 1831 the investment in cotton manufacturing in the South was \$290,000, but by 1860 it had risen to \$9,840,211.

In 1850 the Federal government made a fairly complete and accurate census of all the industries of the country, not counting any establishment whose production did not amount to at least \$500 per year. From this it appeared that the number of establishments was 123,025 and the capital invested exceeded \$533,000,000, while the value of the annual product reached \$1,019,000,000. Of this amount, 86 per cent. was produced in fifteen States, leaving to the other twenty-one States and Territories only 14 per cent. of the total production. The lead was held by New York, which produced 23 per cent. of the whole, while Pennsylvania and Massachusetts, second in line, each produced 15 per cent. Connecticut produced 5 per cent. and other States smaller proportions. The value of the flour and meal production alone reached over \$136,000,000 annually. Cotton produced over \$65,000,000; lumber, over \$58,000,000, boots and shoes, over \$53,000,000; clothing, over \$48,000,000;

machinery, \$28,000,000; leather, over \$37,000,000; and woollens, over \$39,000,000. Massachusetts made 85 per cent. of the bonnets and straw goods, 46 per cent. of the boots and shoes, and over 30 per cent. of the cotton. Connecticut made over 30 per cent. of the hardware and 40 per cent. of the India rubber goods. Pennsylvania produced 80 per cent. of the coal, 50 per cent. of the hosiery, and more than 33 per cent. of the iron. Rhode Island produced 40 per cent. of the calicoes, North Carolina 90 per cent. of the turpentine, Ohio 60 per cent. of the lard oil, and Wisconsin 50 per cent. of the lead.

Limitations of space permit only the merest enumeration of other inventions and manufactures that signalized the first sixty-five years of the Nineteenth century, but even such an enumeration, scant as it must be, will sufficiently indicate the country's wonderful progress in this respect. In the census of 1810 the total value of the manufactured products of the country was fixed at \$127,000,000, but a revised estimate made by Mr. Tench Coxe placed the total at \$172,000,000 (at \$198,000,000, including products allied to agriculture — such as lumber, sugar, ashes, wine, bricks, indigo, hemp and fisheries). In 1810 also Secretary of the Treasury Albert Gallatin reported that the following manufactures were carried on to an extent generally adequate to the requirements of the country for consumption: wood, leather and leather articles, soap, can-

dles, flax-seed oil, refined sugar, coarse earthenware, snuff, hair powder, chocolate, mustard, iron and iron articles, cotton, wool and flax goods, hats, paper printing types, printed books, playing cards, spirituous and malt liquors, gunpowder, window glass, jewelry, clocks, hemp and lead.

Within the next fifty years some of the most valuable additions to the manufactured products of the country were the steam-engine and its various applications; steam navigation; the locomotive and railroads; lathes and planing machines; fire arms and ordnance; watches, bank-note engravings, engineering devices of a hundred different kinds; suspension and cantilever bridges; wood working machines, grain elevators, sewing machines and safes; the telegraph, electric light and power, and street railways; porcelains, paper, paper-making machinery and India rubber goods; pianos, organs and other musical instruments; type-founding, stereotyping, electrotyping, printing presses, lithography and photography; and with this the catalogue has only been started.

Coal was mined near Richmond, Virginia, in colonial times (as early as 1750), but in small quantities. The anthracite of Eastern Pennsylvania was discovered in 1770 and in 1791 the deposits near Mauch Chunk were made known. It came slowly into public favor and until long after 1800 the bituminous coal of the Virginia fields, its only rival, was much preferred. In

1822 the total production of the anthracite mines was estimated at 3,720 tons, against 48,000 tons from Virginia. First experiments with it for domestic and manufacturing purposes were not successful, for the "black stone," as it was called, would not burn. Finally its burning and heating qualities were satisfactorily determined, and after 1820 or 1825 it came more widely into use. Ultimately the New England States, eastern New York, New Jersey and eastern Pennsylvania depended upon it as the staple fuel for heat and power; great systems of railways and canals were constructed to meet its transportation demands, and a vast iron-producing industry grew up dependent upon it. The bituminous deposits of western Pennsylvania, Ohio, West Virginia, Kentucky, Tennessee and Alabama and the semi-bituminous coals of Pennsylvania and Maryland also became known in the middle of the century. Railroads were extended to the mines of Maryland, West Virginia and elsewhere in 1844 and afterward and production there was largely increased.

The extraordinary wealth and the rapid development of the coal fields of the country as a dynamic element in our industrial progress is one of the most notable features of the century's advance. In 1850 the product of all of the mines of the United States was valued at \$7,173,750. Ten years later the value of the annual output had risen to \$1,900,000,000 — an increase

of over 169 per cent. This product was principally from Pennsylvania, Ohio and Virginia. The coal mined in Pennsylvania in 1850 was valued at \$5,268,351, and in the year ending June 1, 1860, the State produced 9,397,332 tons of anthracite, valued at \$11,869,574, and 66,994,295 bushels of bituminous coal, valued at \$2,833,859; this total value was \$14,703,433, or a little more than double the value of the total product of the United States in 1850. The increase over 1850 was 179 per cent. Of bituminous coal Ohio produced 28,339,900 bushels in 1860, the value of which was \$1,539,713; and Virginia in the same year, 9,542,627 bushels, valued at \$690,188.

Illuminating oils were produced by generation with a high degree of heat from bituminous coals and shales in England and France and elsewhere early in the Eighteenth century, and in 1854 a manufactory was established on Long Island, New York, thus to make oil from American cannel coals. In 1855 and 1856 similar works were started in Kentucky, Ohio, Pennsylvania, and various places along the Atlantic seaboard. In January of 1860 there were not less than 40 factories in the United States and their daily product was about 500 barrels. This was marketed as kerosene or as coal oil and for a time bid fair to be the principal illuminating fluid of the country. But it was soon superseded by a better illuminant, petroleum.

Mineral oil was known to the ab-

origines on the American continent for hundreds of years before the white man came. They collected it for medicinal purposes and religious ceremonies in pits or wells throughout the oil regions of western Pennsylvania. It became known to the white people as Seneca or Genesee oil, but not much attention was paid to it. As early as 1819 workmen boring for brine on the Muskingum River in Ohio drew up, from a depth of some 400 feet, quantities of mineral oil which seriously interfered with their salt making. In 1845 a spring was struck near Tarentum, Pennsylvania, on the banks of the Alleghany River, and experiments proved its possible value as a substitute for coal oil. The discovery was not then utilized, however, and it was 1857 before practical measures were instituted to put the matter to a test. At Titusville, Pennsylvania, on Oil Creek, where traces of Indian explorations were found, a well 75 feet deep was bored which in 1859 yielded 400 gallons a day. This initial success attracted the attention of the entire country, and western Pennsylvania was invaded by an army of prospectors, investors and speculators. Before the close of 1860, fully 2,000 wells and borings were producing from 100 to 2,000 barrels of oil daily. Petroleum was soon discovered not only in Pennsylvania, but in eastern Ohio, in West Virginia, in Kentucky and in Indiana. In 1860 the production amounted to not less than 500,000 barrels of 40 gallons each. This was far

in excess of the output of the coal distilleries and those works were changed to petroleum refineries. As an illuminant and lubricant the new oil quickly superseded nearly all other media of that description. Exportation began almost immediately. In 1861 the shipments from the United States to foreign ports reached nearly 28,000 barrels of 40 gallons each and in that decade the total exportation was 14,465,000 barrels, representing an aggregate value of \$144,000,000.

The discovery of anthracite and bituminous coal gave a much needed stimulus to the iron industry. For smelting purposes it soon demonstrated its unrivalled usefulness, and the interests of the two industries became closely and permanently interdependent. Anthracite was thus used in a small way early in the century, but it was after the introduction of the hot blast in 1831 and the building of furnaces of that kind within the next few years that the modern development in iron manufacturing really started. In 1810 the total iron product of the country was only 54,000 tons and in 1830 it was 165,000 tons. In 1840 there were six blast furnaces using anthracite for smelting, each making weekly from 30 to 50 tons of pig iron. The same year iron production had risen to 347,000 tons, more than double that of 1830. Upward of 600,000 tons were produced in 1850 and 919,870 tons in 1860. Many

anthracite furnaces were then producing from 250 to 300 tons of iron a week — a striking contrast to the first little furnace of Mauch Chunk in 1838, with its daily capacity of two tons.

Small quantities of gold ore were found in the colonial days almost entirely in the South. Before 1820 the value of American gold received at the Philadelphia mint was \$43,689, all from North Carolina, and by 1827 there were received from the same source approximately \$57,300 more. In 1829 Virginia and South Carolina began to figure as gold-producing States and in 1830 Georgia mines produced gold to the value of \$212,000. Prior to the discovery of California gold, the annual American production was about \$100,000. The existence of gold on the Pacific Coast was known to the Spaniards in California in 1848. By the close of the year 1849 it was estimated that between 40,000 and 50,000 Americans and 5,000 foreigners had poured into California to engage in mining and that the total product of gold had amounted to \$40,000,000. The annual product of California gold mines after the commencement of extensive operations in 1849 has been estimated as follows:

1850	\$50,000,000
1851	55,000,000
1852	60,000,000
1853	65,000,000
1854	60,000,000
1855	55,000,000
1856	55,000,000
1857	55,000,000
1858	50,000,000
1859	50,000,000

1860	\$45,000,000
1861	40,000,000
1862	35,000,000
1863	30,000,000
1864	27,000,000
1865	29,000,000

Native copper was little known in the colonial period, although small mines were operated in New Jersey, Pennsylvania, Massachusetts, Connecticut, and Virginia. In the middle of the Eighteenth century deposits in Maryland, Tennessee, Virginia, and Georgia were worked with some, though not large, profit. The existence of copper on the shores of Lake Superior was known to the Jesuit missionaries in the Seventeenth century, and the region was explored from time to time for nearly 200 years before results of value were obtained. In 1844 the definite exploration and exploitation of the region began, and before 1850 many mines had been discovered and operated. Thenceforth a steadily increasing proportion of the world's supply of copper came from the United States, principally from this region. It has been estimated that from the commencement of mining in 1843 to the close of navigation in 1854 a total of 7,642 tons of pure copper was taken out of these mines. In 1850 the entire product of the United States was 2,700 tons, out of a total world production of 52,250 tons, and in 1860 5,530 tons, out of a total of 75,370.

The value of the product in the leading manufacturing industries of the

United States for the year ending June 1, 1860, was as follows:

Flour and meal.....	\$224,000,000
Cotton goods	115,000,000
Lumber	96,000,000
Boots and shoes.....	90,000,000
Leather, including morocco and patent leather	72,000,000
Clothing	70,000,000
Woolen goods	69,000,000
Machinery, steam engines, etc....	47,000,000
Printing, book, job and newspaper	42,000,000
Sugar refining	38,500,000
Iron founding	28,500,000
Spirituous liquors	25,000,000
Cabinet furniture	24,000,000
Bar and other rolled iron.....	22,000,000
Pig iron	19,500,000
Malt liquors	18,000,000
Agricultural implements	17,800,000
Paper	17,500,000
Soap and candles.....	17,000,000*

Agriculture.

With the beginning of westward expansion, after the National acquisition and gradual distribution of the great public domain, came the start of that agricultural development which

has distinguished the United States for more than a century. It was not, however, until well into the first quarter of the Nineteenth century that the farming industry assumed conspicuous proportions. Meanwhile the western territory was being settled, improvements had been made in live stock, some attention was given to better methods of cultivation, and improved farming implements had been introduced to a slight extent. The border States developed some diversified farming, but the Southern cotton belt still clung to its agricultural traditions in crops and methods.

Transportation facilities between the West and the seaboard were enormously increased; a swelling tide of immigration set in, numbering 1,713,250 arrivals in 1840-1850 and 2,598,214 in 1850-1860; political disturbances abroad compelled Europe to look more and more to America for food supplies. Under this stimulus, the broad prairies of the Middle West were settled, machinery was introduced, and the big cereal crops came into existence. To such proportions had this industry grown before 1860 that the ensuing Civil War did not check it in the North and West. For example, between 1859 and 1863 the wheat crop of Indiana increased from 15,000,000 to 20,000,000 bushels, with other States making similar gains.

Grain was shipped from Chicago first in 1838, and three years later came the first shipment from Wisconsin. In 1860 the total shipments from

* J. G. Walker, *Eighty Years of Progress in the United States* (Washington, 1861); J. Leander Bishop, *A History of American Manufactures*, vols. ii. and iii. (3 vols., Philadelphia, 1868); G. S. Callender (ed.), *Selections from the Economic History of the United States, 1765-1860* (Boston and New York, 1909); J. D. B. DeBow (ed.), *The Industrial Resources of the Southern and Western States* (4 vols., New Orleans, 1852-53); Carroll D. Wright, *The Industrial Evolution of the United States* (New York, 1895); *The South in the Building of the Nation*, vol. v., *Economic History* (Richmond, 1909); J. M. Swank, *History of the Manufacture of Iron in All Ages* (Philadelphia, 1892); A. S. Bolles, *Industrial History of the United States* (Norwich, 1889); Katharine Conan, *Industrial History of the United States* (New York, 1905); *First Century of the Republic* (New York, 1876); United States census reports, 1790-1860; J. B. Patton, *Natural Resources of the United States*; J. B. McMaster, *A History of the People of the United States* (7 vols., New York, 1884-1910).

Lake Michigan ports amounted to 43,-211,488 bushels. The Northern States did not keep pace with the agricultural growth of the Middle West. Here and there one of them showed a slight advance in the production of some particular cereal, but most of them reported a falling off or a standstill. Attention in this section was given more to the raising of garden truck and to dairying. For example, New York produced market stuff in 1850 worth \$922,047 and in 1860 \$3,381,596, and in the same years 79,766,094 and 103,097,279 pounds of butter. New Jersey and Pennsylvania showed similar tendencies. In New England attention was given to fruit crops, particularly apples.

The following table shows the agricultural expansion in the two decades from 1840 to 1860, according to the census reports of those years:

	1840	1850	1860
Corn, bushels.	377,531,875	592,071,194	838,792,742
Wheat, bushels.	84,823,272	100,485,944	173,104,924
Rye, bushels.	123,071,341	146,584,179	172,643,185
Buckwheat, bushels.	7,291,743	8,956,912	17,651,061
Barley, bushels.	4,161,504	5,165,136	15,613,604
Potatoes, bushels.	108,298,060	104,066,044	151,624,889
Hay, tons.	10,248,108	13,831,558	19,073,506
Butter, pounds.		313,247,054	459,672,652
Cheese, pounds.		105,497,547	105,788,622
Wool, pounds.	35,802,114	52,474,311	59,932,328
Tobacco, pounds.	219,163,319	199,736,318	429,364,751
Rice, pounds.	80,841,429	215,313,497	187,140,173
Cotton, bales of 400 pounds.	1,976,198	2,445,793	5,196,944
Peas and beans, bushels.		9,196,170	15,099,746

When we take into consideration that the South monopolized the production of cotton, rice and tobacco that the West was entirely given over to cereal crops; and that in the North dairying was a dominant industry, the foregoing figures indicate the relative agricultural importance of those

sections of the country. But the South had not yet yielded entirely to the West in its cereal production. Of the entire crop of the country in the leading cereals, the percentages raised in the South in 1849 and 1859 were: wheat, 27 per cent. and 22 per cent.; rye, 11 per cent. and 19 per cent.; Indian corn, 60 per cent. and 52 per cent.; oats, 33 per cent. and 19 per cent. (the last showing the only falling off).

Cotton continued to be a promising, but remained an unmarketable product of the South until the invention of the gin by Eli Whitney in 1792. This machine revolutionized the method of cleaning cotton and thus gave the one needed stimulus to its large production. Principally confined to South Carolina and Georgia until after the close of the Eighteenth century, cotton cultivation gradually spread first into North Carolina, Virginia and Tennessee, and then into the Southwest. In the early part of the century the export was large and the domestic use notable. According to the census of 1810, Georgia, with only household manufacture, produced more yards of cloth than all the mills of Rhode Island, while in North Carolina and South Carolina more looms were operated than in any other State of the Union. The tariff act of 1816 was also a means of enlarging the market and making the raising of the staple more profitable.

From the foreign mills of Great Britain and the home mills of New

England came a large and steadily growing demand for this raw material as the saw-gin improved the character of the fibre and the factory system of labor with its new machines combined to increase consumption. In 1811 the Atlantic coast States produced fifteen-sixteenths of the cotton crop of the country and in 1821 two-thirds of the total yield, two States alone — South Carolina and Georgia — producing five-sixths of that amount. From the beginning of the settlement of the Southwest the supremacy of the eastern cotton belt began to wane and Alabama and Mississippi, and finally Texas, took the lead in acreage cultivated and in pounds produced. The annual production increased constantly until the breaking out of the Civil War. For five-year periods from 1791 to 1865, the average annual production in pounds was: 1791–1795, 5,200,000; 1796–1800, 18,200,000; 1801–1805, 59,600,000; 1806–1810, 80,400,000; 1811–1815, 80,000,000; 1816–1820, 141,200,000; 1821–1825, 209,000,000; 1826–1830, 307,244,400; 1831–1835, 398,521,600; 1836–1840, 607,306,200; 1841–1845, 822,953,800; 1846–1850, 979,690,400; 1851–1855, 1,294,422,800; 1856–1860, 1,749,496,500.*

With the opening of the new century, cotton began to displace tobacco as a favored agricultural staple in the South, capital in land and in slaves being diverted to the cultivation of the new crop. Moreover, the Embargo

and the ensuing War of 1812 stopped its export and so curtailed production. By 1814 the export trade had almost entirely disappeared. From 1790 to 1840 the industry was stationary, but rose again after the middle of the century. Between 1850 and 1860 production increased 115 per cent. Meanwhile the tobacco area had extended to the newer States — to Kentucky, Ohio, Tennessee, and even to Missouri. In 1859 Kentucky, Ohio and Tennessee produced 176,707,518 pounds in Virginia, Maryland and North Carolina 195,232,527 pounds. In 1850 Missouri produced 17,113,784 pounds and ten years later 25,386,196 pounds. In 1860 the South was the largest producer of tobacco in the world, a preëminence it has never lost. In that section the cultivation of the leaf for nearly 250 years influenced every economic institution, moulding and making many of them. Ultimately, however, cotton exercised a stronger, though a less prolonged, influence upon the social, economic and political life of the South. As a source of wealth, cotton became supreme; its profitableness led to the general neglect of other crops, even those of food; and for more than half a century the slave system rested upon it. Thus cotton, more than any thing else, was responsible for the Civil War.*

During the first half of the Nineteenth century the annual rice crop in the South assumed considerable im-

* M. B. Hammond, *The Cotton Industry*, app. i. (New York, 1897).

* *The South in the Building of the Nation*, vol. v., pp. 168, 207.

portance. Nearly all the southern States, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas were engaged in its cultivation. South Carolina and Georgia headed the list in quantity and quality of production. Prior to 1850 more than half of the rice crop of the United States came from South Carolina. Out of 245,289,955 pounds harvested in the United States in 1850 and valued at \$8,585,148, 159,930,613 pounds came from South Carolina and 38,950,691 from Georgia. Out of 187,143,098 raised in this country in 1860 and valued at \$7,485,723, South Carolina produced 119,100,528 pounds and Georgia 52,507,652. From 1820 to 1850 the annual crops of North Carolina, South Carolina and Georgia combined were, in pounds: 1820, 69,534,600; 1824, 76,083,800; 1829, 83,438,000; 1833, 106,953,000; 1836, 95,310,600, valued at \$3,097,594; 1844, 105,755,800, valued at \$2,644,395; in 1849, 204,346,520.

Modern sugar-making was begun in Louisiana in 1795 by Etienne De Bore and from that date until the Civil War the cultivation of cane and the manufacture of sugar was the main industry of that section. In 1808 Louisiana had 308 sugar estates; in 1844, 762; and in 1845, 1,104. In 1845 Texas had 35 estates. The annual production between 1823 and 1861 showed many fluctuations, due principally to the influence of the tariff and oftentimes to rivalry of cotton

as a more profitable crop. In 1823 the tons of sugar grown in Louisiana were 15,401; in 1834, 15,339; in 1835, 15,401 (the same as in 1823); in 1836, 35,937; in 1845, 142,723; in 1846, 70,995; in 1847, 123,124; in 1853, 224,118; in 1856, 33,813; in 1857, 137,542; in 1861, 235,856; and in 1865, 9,289.

Hemp and flax came into prominence in nearly all the Southern States. A large industry was developed in making homespun hemp, linen bagging, and cordage. In North Carolina, Kentucky, and Georgia there were nearly 150,000 spinning wheels and 78,000 looms in 1810.

The first agricultural society in the United States was organized by planters of South Carolina in 1784. In the following year Philadelphia gentlemen formed the Philadelphia Society for Promoting Agriculture and in 1791 a similar organization came into existence in New York City. The Massachusetts Society for Promoting Agriculture was formed in 1792. These societies led the way to similar organizations of practical farmers. A farmers' convention was held in Washington in 1809 and The Columbian Agricultural Society for the Promotion of Rural and Domestic Economy was organized. This Society held a fair in May of 1810, which is believed to be the first agricultural fair held in the United States. In 1810 Elkanah Watson, a Massachusetts agriculturalist, founded in that State The Berkshire Agricultural Society, under whose auspices an agricultural

fair and cattle show—the pioneer of its kind—was held in Pittsfield, Massachusetts, in September of 1811. In the ensuing half-century annual exhibitions of this character were common in all parts of the United States. Agricultural societies (State, city and town) were everywhere organized and farmer's clubs were established in towns and villages. In the course of time nearly every State had its board of agriculture. Before the Civil War there were probably 2,000 agricultural societies and similar organizations in the United States. The publications of these societies constitute an important series of volumes, antedating the reports of the State bureaus of agriculture which began to come into existence before the middle of the Nineteenth century, first in New York, Massachusetts, Ohio, and Indiana. Besides these official publications, there were in 1870 93 agricultural newspapers and periodicals, with an aggregate annual circulation of nearly 22,000,000 copies.

Before the century had opened, agitation for education in agriculture and kindred pursuits began. In 1791 Columbia College in New York established a professorship of chemistry and agriculture and chose Samuel L. Mitchell to fill that chair. In subsequent years the professors of chemistry in nearly all the colleges gave

incidental instruction in agriculture. It was nearly the middle of the century, before the subject had an independent professorship, however. In 1846 John P. Norton was appointed professor of agricultural chemistry and vegetable and animal physiology in Yale College, the first American educator to hold such a position, and he began his course of instruction the following year. In 1862 Congress provided for grants of public lands to the individual States to encourage the establishment of industrial and agricultural institutions of learning.*

* *American Almanac and Repository of Useful Knowledge* (33 vols., Boston, 1830-1862); *American Husbandry* (2 vols., London, 1775); F. J. Turner, *The Rise of the New West, 1819-1829*, in *The American Nation* series, vol. xiv. (New York, 1906); J. H. Thompson, *From the Cotton Field to the Cotton Mill* (New York, 1906); D. A. Wells, *Year Book of Agriculture* (Philadelphia, 1856); Ernest L. Bogart, *The Economic History of the United States* (New York, 1907); W. N. Brewer, *History of Agriculture in the United States*, in tenth census (Washington, 1880); John Bristed, *America and Her Resources* (London, 1818); B. A. Hinsdale, *The Old North West* (New York, 1888); report of the United States Industrial Commission (19 vols., Washington, 1900-1902); J. D. B. DeBow, *Industrial Resources of the South and West* (3 vols., New Orleans, 1853); Charles L. Flint, *A Hundred Years of Progress*; report of the United States Department of Agriculture (Washington, 1872); the same also in the twenty-first annual report of the Massachusetts Board of Agriculture for 1873; J. F. W. Johnston, *Notes on North America* (Boston, 1853); reports of the United States Department of Agriculture; reports of the boards of agriculture of the several States; census reports, 1790-1860.

CHAPTER III.

1789-1865.

FOREIGN COMMERCE.

The ruin of our foreign commerce by foreign decrees and the Embargo — Our exports from 1790 to 1817 — Trade conditions from 1802 to 1812 — Exports in 1819 and 1830 by States — The commercial reciprocity treaties and the consequent rise in foreign trade after 1830 — Interruption of this progress by the Civil War — The preëminence of agricultural products.

After the Revolution commerce revived rapidly, despite the tardy recognition of the Republic by some of the European nations and the positive opposition of England and France. Reciprocal commercial relations were gradually established with Russia, Prussia, Sweden, and other nations, and a trade with the Mediterranean, Germany, Sweden, Russia, China, and the East Indies was built up, the exports being principally agricultural — tobacco, sugar, cotton, and rice in particular. English and French decrees aimed at American commerce and shipping, leading up to the Embargo Act of 1807, greatly damaged those interests. Both the agricultural South and the commercial North suffered. The products of the South were deprived of their markets, and the sailing vessels of New England found their employment gone. Both the decrees and the act were in a measure successfully evaded, but the complications preceding the War of 1812 — and finally that war itself — crushed what little life was left in our foreign trade.

The progress of the entire export

trade of the United States from 1789 to 1806 (when it reached its maximum) preceding the Embargo of 1807 was very marked. Beginning in 1790 with a value of \$20,205,156 and falling to \$19,012,041 in the following year, there was an unbroken annual increase until 1807, when the figure \$108,343,150 was reached.

The Embargo resulted in the almost complete ruin of the export trade, which in 1808 dropped to \$22,430,960, only slightly in excess of what it was in 1791. Commerce was resumed in 1809 and exports increased only to fall off again with the breaking out of the War of 1812. From 1810 to 1814 (both inclusive) the average annual value of exports was \$30,618,196, as against \$34,631,848 for 1805-1809, \$42,048,366 for 1800-1804, \$32,822,965 for 1795-1800.

In 1790-1817 the principal exports were: From New Hampshire, lumber, ship timber, flaxseed, corn, salted and pickled fish, pot and pearl ashes, whale oil and live-stock; from Massachusetts, the same as from New Hampshire, with the addition of masts, candles, shoes, nails, barley,

hops, and cheese; from Rhode Island, the same as from Massachusetts, except pot and pearl ashes, and in addition cotton and linen manufactures; from Connecticut, the same as from Massachusetts, with the exception of pot and pearl ashes and, in addition, mules, oxen, and cider; from Vermont, pot and pearl ashes, pork, beef, flour, grain, butter, cheese, lumber, and horses; from New York, New Jersey, Pennsylvania, Delaware, and Maryland, wheat, all kinds of grain, flour, beef, and pork, and also from Pennsylvania various manufactured articles and from Maryland tobacco and pig iron; from Virginia, tobacco, wheat, flour, corn, beef, and pork; from North Carolina, the same as from Virginia, with the addition of lumber, spars, naval stores, rice, and cotton; from South Carolina, the same as from North Carolina, with the addition of indigo; from Kentucky, corn, wheat, flax, hemp, tobacco, pork, whiskey, and rope yarn; from Tennessee, horses, cattle, beef, cotton, flax, hemp, pork, flour, lumber, and tobacco; from Ohio, provisions, flour, hemp, tobacco, and cattle; and from Louisiana, cotton, sugar, tobacco, rice, and corn.

During the ten years 1802-1812 the total domestic products exported amounted in value to \$347,545,834, while the foreign merchandise re-exported during the same period was valued at \$305,635,639. Of these 80 per cent. were agricultural products, 7-9 per cent. were manufactures, 7

per cent. were products of the forest, and 3-4 per cent. were from the fisheries. In 1817 our trade began to recover from the effects of the War of 1812, the exports that year being valued at \$8,671,569 and in 1818 at \$93,281,133. During the next 15 years they varied annually from \$70,000,000 to \$99,000,000, attaining the latter extreme in 1825.

In 1819 the principal exporting States in order of exports were New York, Massachusetts, Louisiana, South Carolina, Georgia, Pennsylvania, Maryland, Virginia, and Alabama. In 1830 the order was New York, Louisiana, South Carolina, Massachusetts, Georgia, Virginia, Pennsylvania, Maryland, and Alabama. In every State except New York, Louisiana, and Alabama there was a falling off, but the percentage of decrease was less in the Southern than in the Northern States. Alabama advanced from \$51,000 to the phenomenal amount of \$2,295,000 and Louisiana showed an increase of over 50 per cent.—from \$9,969,000 to \$15,489,000. These figures indicate how strongly the movement of trade for foreign markets had set in from the Mississippi and Ohio valleys down the Mississippi River to the Gulf.

Beginning in 1830 American foreign trade attained large proportions. Its growth was seriously checked for nearly ten years by the panic of 1837, but with that exception its development continued until the breaking out of the Civil War. A principal cause

of this increase from 1830 was the commercial reciprocity treaties which had been negotiated with foreign nations during the years immediately preceding: with France in 1822; with Denmark in 1826; with Hamburg, Bremen, Lübeck, Sweden, and Norway in 1827; with Prussia in 1828; and with Austria-Hungary in 1829. England became more gracious and in 1830 opened the ports of the West Indies to American shipping. Commercial treaties were made also with the republics of South America: with Colombia in 1824, with the Argentine Confederation in 1827, with Brazil in 1828, with Mexico in 1831, with Chili in 1832, with Peru and Venezuela in 1836, and with Ecuador in 1839.

The beneficial effects of these arrangements were at once apparent. In 1830 the value of American exports was \$71,000,000 and in 1836 it had risen to \$124,000,000, due largely to the increased foreign demand for cotton. The cotton exports were valued at \$24,160,000 in 1816, \$36,846,000 in 1825, and \$64,661,000 in 1835 — almost doubling in the last decade.

It was not until 1834, when they reached a valuation of \$102,260,215, that our exports again passed the one-hundred-million mark. In 1836 they were \$124,338,704. From that figure they fell off in subsequent years, but rose to \$123,668,932 in 1840, only to drop to \$99,877,995 in 1842 and \$82,825,689 in 1843. There was a rise to \$156,741,598 in 1847, and this continued with annual fluctuations, until

1853, when the two-hundred-million-dollar mark was passed, the exact figure being \$203,489,282. In the years following these figures were surpassed annually until in 1860 they rose to \$333,576,057. Naturally the Civil War brought them down, the export trade of the South being ruined and that of the North considerably injured by that struggle. In 1861 our exports were valued at \$219,553,833; in 1862 at \$190,670,501; in 1863 at \$203,964,447; in 1864 at \$158,837,988; and in 1865 at \$166,029,303.

Similar fluctuations and substantial increases marked the history of our imports from 1830 to 1865. Thus, while from 1791 to 1834 the value of our exports exceeded \$100,000,000 in only two years (1806 and 1807), our imports were above that figure in eight years (1801, 1805, 1806, 1807, 1815, 1816, 1818 and 1833). The imports as well as the exports showed the effect of the general trade depression of 1819-1832. In 1833 the value of our imports was \$101,047,943, and, increasing annually, reached \$176,570,154 in 1836. There was a drop to \$130,472,803 in 1837 and to \$95,970,288 in 1838; a rise to \$156,496,956 in 1839; a drop to \$98,258,544 in 1840; and a further drop to \$96,075,071 in 1842. Advancing to \$102,604,606 in 1844, the figures in subsequent years showed an almost steady annual increase until 1857, when they were \$348,428,342. Falling to \$263,338,654 in 1858, they mounted to \$353,616,119 in 1860. In 1861 they were \$289,310,542; in 1862,

\$189,356,677; in 1863, \$243,335,815; in 1864, \$316,447,283; and in 1865, \$238,745,580. From 1791 to 1810 (both inclusive) our imports annually exceeded our exports. From 1811 to 1865 (both inclusive) the balance of trade was also against us every year, except 1811, 1813, 1821, 1825, 1827, 1829, 1830, 1838, 1840, 1842, 1843, 1844, 1847, 1858, and 1862. In only three years was the excess of exports over imports more than \$10,000,000; 1840, \$25,410,226; 1843, \$42,433,464; and 1847, \$34,317,249. On the other hand, the excess of imports over exports from 1791 to 1865 ranged mostly above \$10,000,000 annually, being below that figure in only 17 years out of 60. In several years the excess was above \$50,000,000, and in 1864 it was \$157,609,295.

Agriculture contributed most to our export trade in the colonial period and it has held that distinction ever since. When the Republic began, the cotton and tobacco of the South had the lead, which they were able to maintain for half a century. After the first quarter of the Nineteenth century the cereals and provisions of the West began to dispute precedence with the products

of the South, ultimately leading the export column. Manufactures came into prominence during the 40 years preceding 1865, but were not able to displace the export preëminence of our agricultural products. The United States, despite its industrial advance, continued to be an agricultural nation as in the beginning. Prior to the Civil War more than 80 per cent. of the total value of our exports consisted of agricultural products.*

* Adam Seybert, *Statistical Annals* (Philadelphia, 1818); Timothy Pitkin, *A Statistical View of the Commerce of the United States of America* (New Haven, 1817 and 1835); T. D. Woolsey, *First Century of the Republic* (New York, 1876); J. S. Homans, *Cyclopedia of Commerce and Commercial Navigation* (New York, 1858); W. C. Webster, *A General History of Commerce* (Boston, 1903); *Statistical Abstract of the United States* (annual publication of the Bureau of Statistics, Washington); John Baker Holroyd (Lord Sheffield), *Observations on the Commerce of the American States* (London, 1784); John McGregor, *Commercial Statistics of All Nations*, vol. iii. (London, 1850); C. M. Depew (ed.), *One Hundred Years of American Commerce* (New York, 1896); E. L. Bogart, *Economic History of the United States* (New York, 1908); F. J. Turner, *Rise of the New West* (New York, 1906); reports on commerce and navigation of the United States (United States Bureau of Statistics, Washington, 1822-1865); Tench Coxe, *A View of the United States of America* (Philadelphia, 1794).

CHAPTER IV.

1789-1865.

THE GROWTH OF OUR MERCHANT MARINE AND RAILWAY SYSTEMS.

The early preëminence of our merchant marine — Tonnage during the first years of National life — Its subsequent increase — The red-letter year in tonnage construction — New England's shipping supremacy — The displacement of sailing vessels by steamers — The advent of the steam railroad — The inauguration of passenger service — Its growth up to the close of the Civil War.

During the first fifty years of the Republic the merchant marine had a virtual monopoly of the greater part of transportation, foreign and domestic. To be sure, improved roads were built connecting the States; some of these were government enterprises while others were aided by State or Federal subvention. While these facilitated interstate communication, they helped transportation but little. Then the era of canal building was entered upon and the canals, more than the roads, became factors in transportation. But roads and canals belong more to the history of internal improvements than to that of transportation. Until the advent of the railroads in the middle of the Nineteenth century the merchant marine held a preëminent position.

The Revolution hurt but did not destroy our shipping. In 1789 it was thought that our merchant marine was insufficient even for the transportation of the domestic products of the States. Of the total tonnage recorded in American ports, nearly one-third was foreign owned.* Within a year

thereafter American-owned shipping had risen to first place, its total tonnage had more than doubled, and its tonnage engaged in foreign trade had nearly trebled. Foreign competition bid fair soon to become a negligible quantity and the maritime nations of the world began to take notice and to consider the necessity of measures to repress the infant which was showing such vigor.

The following table shows the registered and enrolled tonnage of the thirteen original States for the first four years of the Republic:

	1789	1790	1791	1792
Foreign Trade.....	123,893	346,254	363,110	411,438
Coasting Trade.....	68,607	103,775	106,494	120,957
Fisheries.....	9,062	28,348	32,542	32,062
Total	201,562	478,377	502,146	564,457

In 1816 the registered tonnage employed in foreign trade had increased to 800,759; that in the coasting trade, to 479,979, and that in the fisheries, to 39,047. In addition, the licensed tonnage of small vessels engaged in the coasting trade was 42,185 and in the fisheries 10,246. The aggregate tonnage of every description was 1,372,218, as compared with the aggregate of 201,562 in 1789.* During the first

* *Annals of Congress*, 1st Congress, 1st session, vol. i., pp. 180-209.

* Adam Seybert, *Statistical Annals*, p. 317 et seq.

quarter of that century the tonnage of American shipping fluctuated greatly from year to year. Discriminating duties imposed by European nations affected it seriously, as did also the retaliative measures imposed by the home government. It was helped by the treaties negotiated by Secretaries of State from Gallatin on, which understandings with other nations have been well described as constituting "one of the greatest boons ever conferred upon any mercantile marine in the history of the world."

In 1823 the American tonnage in home ports from foreign lands was 816,761, while the arriving foreign tonnage was 119,487, of which Great Britain owned 89,553. From this time on there was a steady advance, broken only by the periods of commercial depression, until finally the American merchant marine led the world in a supremacy that was maintained until the Civil War period.

In 1850 the tonnage construction of the United States was 272,718, against Great Britain's 133,695. Five years later came the year of greatest construction, when 2,927 vessels, with a tonnage of 583,450, were built for the National merchant marine. From that point there was a rapid decline until 1859, when only 875 vessels, with a tonnage of 156,602, were built.

New England and the Middle Atlantic States were foremost in the creation and development of the American merchant marine. The South had little part in it. At no time

during this period did the Southern States "own more than about one-third of the American tonnage, and as time went on this proportion became considerably reduced."* Of the total tonnage when the Republic began in 1789, not more than four or five per cent. was owned in the South, although nearly 40 per cent. was registered in that section, most of it owned by British merchants. In 1810, when the tonnage had increased to 1,424,783, only about one-sixth was owned south of the Potomac, less than one-fourth between the Hudson and the Potomac rivers, while New England, with only about a fifth the country's population, owned over one-third its tonnage.

New England retained this supremacy as long as wooden sailing vessels constituted the whole or the greater part of our merchant marine. Not until steam came in did that section lose its ship-building and ship-sailing preëminence. During the second quarter of the century the merchant marine reached its highest position. That was the time when the famous "clip-pers" carried the flag into every part of the world and, in the brilliancy of their sailing achievements, outdistanced their rivals of all other nations. In this particular epoch New York, Philadelphia, and Baltimore contested honors with New England.

In 1830 the total tonnage of our merchant marine was 1,191,776, of which

* Solomon S. Heubner, *The Merchant Marine of the South*, in *The South in the Building of the Nation*, vol. vii., p. 368.

more than 80 per cent. was owned in the Northern States. In the same year the tonnage registered in the foreign carrying trade was 576,675. In 1860 this registered tonnage had risen to 2,546,237, an increase of over 442 per cent. In the enrolled or coasting marine the increase was equally wonderful. When the Navigation Act of 1817 was passed and thereby American coasting trade was prohibited to foreign vessels, the domestic marine profited enormously. The enrolled tonnage at that time was 615,311. During the next thirty years it increased to 2,807,631, or 463 per cent. The grand total of all American shipping in 1860 was 5,358,868 tons. Between 1861 and 1865 the total tonnage of our merchant marine fell to 1,504,575. The blockading of Southern ports destroyed the shipping interests of the Confederate States, while at the same time the ravages of the Confederate privateers damaged the merchant marine of the North. Many vessels were captured and destroyed, and hundreds sought protection by registering under foreign flags. In 1864 the end of the war was marked by a sudden and large increase in ship construction, the tonnage that year amounting to 415,740, exceeding that of any year since 1855.

During the days of the sailing vessels inland transportation was carried on mainly by small sloops up and down the rivers of the North, the smaller streams of the South, and by big flat boats on the large streams, the Missis-

issippi and its tributaries. In the middle of the century steam tonnage, which had been slowly developing for some twenty-five years, began to displace sailing tonnage both in trans-Atlantic and in domestic transportation. Between 1840 and 1860 over 4,000 steam vessels were constructed. This meant the almost complete displacement of the sailing vessel from the rivers of the country and the end of the picturesque, lumbering, flatboat of the Mississippi. In 1860 the tonnage of American steamships was 867,937, of which 97,296 was registered for foreign trade; the steam tonnage of our nearest rival, Great Britain, was 500,144. Nearly all the shipping engaged in ocean commerce was owned in New England and New York. In the South the steamboats of the Mississippi and other rivers became notable factors in the inland travel and transportation of that section. On the Pacific coast there was in 1849 a merchant marine of 722 tons of sailing vessels in San Francisco, and in the war period this had only doubled. Traffic on the great lakes developed slowly. It began with one small merchant vessel in 1797 and in half a century later amounted to only 89,000 tons.

Steam railroads did not come until the second quarter of the Nineteenth century. In 1827 there were two short roads in Massachusetts and in Pennsylvania run by horse power. In 1829 the Delaware and Hudson Canal Company ran an English built locomotive

on the Carbondale railroad in Pennsylvania. The first American locomotive was the invention of Peter Cooper and was run experimentally on the tracks of the Baltimore and Ohio Railroad in 1830. Its immediate successor was built at the West Point Foundry, New York, the same year. It was tried in January of 1831 on the South Carolina Railroad, running between Charlestown and Hamburg and drawing a train of three cars, in which were several hundred passengers, including a detachment of United States troops. This inaugurated the passenger railroad system of the country.

In 1829 the Baltimore and Ohio Railroad was operating by horsepower over 15 miles of tracks, and in 1831 it carried 80,000 passengers and 8,000 tons of freight. In 1832 the horses gave way to the locomotive. Other steam railroads started at this time were the Baltimore and Susquehanna, a New Orleans and Lake Pontchartrain line, the Boston and Lowell in 1830, the Boston and Providence, Boston and Worcester, and Mohawk and Hudson in 1831, and the Camden and Amboy road of New Jersey in 1832. The Boston and Worcester Railroad was extended to Albany, New York, in 1841, and in 1851 the great trunk line of the Erie Railroad, begun in 1836, had been completed from Jersey City to Dunkirk, New York. Coincident with this enterprise in the North railroads, were started in Louisiana and Mississippi the Bayou Sara and Woodville road,

incorporated in 1831, and the Clinton and Port Hudson, incorporated in 1833, both operating before 1840. During the decade 1831-1841 railroad building went on apace. In various parts of the country short disconnected lines sprang up and it is said that in 1832, when the railroad mileage of the country was only 229, there were 67 separate companies in the State of Pennsylvania alone.

In this decade railroads were built in 23 States as follows: 1830, Pennsylvania, Maryland, and South Carolina; 1831, New York, Virginia, and Louisiana; 1832, New Jersey and Delaware; 1833, North Carolina; 1834, Alabama; 1835, Kentucky and the District of Columbia; 1836, Maine, Michigan, West Virginia, and Florida; 1837, Rhode Island and Georgia; 1838, New Hampshire and Ohio; 1839, Connecticut and Illinois; 1841, Mississippi. In the ensuing decade there was a lull in railroad construction. Some building was done in the States where roads were already in existence, but only four new States began the new transportation method: Indiana in 1842, Vermont in 1845, and Wisconsin and Tennessee in 1851. In the next decade only five more States came into line with railroads: Missouri in 1852; Texas in 1853; Iowa in 1855; California in 1856; Arkansas in 1857. Thus, in thirty-five years' time 35 States and Territories and the District of Columbia had railroad service. Then in 1862 Minnesota and Washing-

ton and in 1864 Kansas and Nebraska were added to the list. The growth of railroading between 1830 and 1865 is shown in the statement of the miles

in operation within those dates: 1830, 23; 1835, 1,098; 1840, 2,818; 1845, 4,633; 1850, 9,021; 1855, 18,374; 1860, 30,626; 1865, 35,085.*

CHAPTER V.

1789-1865.

DEVELOPMENT OF SYSTEMS OF COMMUNICATION.†

The beginnings of modern telegraphy — Establishment of regular service by 1850 — Early telegraph companies — The rapid extension of the Western Union Company — First attempts to lay a cable — Its final success.

The principles underlying the transmission of signals by wire and electric current were understood soon after the middle of the Eighteenth century, and experimental systems of telegraphy were in existence in Europe and America early in the following century. But it was not until Samuel F. B. Morse in 1832-1835 invented his famous alphabet of dashes and dots and made the practical application of it in the transmission of messages by a conducting wire, that modern telegraphy came into existence. The Morse invention was first publicly exhibited in New York in 1837 and letters patent were granted for it in 1840. The National Congress appropriated \$30,000 for the construction of an experimental line, and in May of 1844 the first message sent by electric wire, the famous dispatch "What hath God wrought!" was flashed from Baltimore to Washington, a distance of 43 miles.

In April of 1845 the experimental

line was declared ready for business. Little interest in the invention as a business proposition was manifested

* Willis J. Abbot, *American Ships and Sailors* (New York, 1902); C. F. Adams, *Railroads, Their Origin and Problems* (New York, 1888); William W. Bates, *The American Marine* (Boston, 1903); J. B. Crawford, *The Credit Mobilier of America* (Boston, 1880); John P. Davis, *The Union Pacific Railway* (Chicago, 1894); T. D. Woolsey (ed.), *The First Century of the Republic* (New York, 1876); Henry M. Flint, *Railroads of the United States, Their History and Statistics* (Philadelphia, 1868); *Eighty Years' Progress of the United States* (Worcester, 1861); *Report of the United States Industrial Commission* (19 vols., Washington, 1900-1902); A. B. Hulbert, *Historic Highway Series* (15 vols., Cleveland, 1902-1905); Henry Fry, *History of North Atlantic Steam Navigation* (New York, 1896); Emory R. Johnson, *American Railroad Transportation* (New York, 1903) and *Ocean and Inland Transportation* (New York, 1906); W. L. Marvin, *The American Merchant Marine* (New York, 1902); John H. Morrison, *History of American Steam Navigation* (New York, 1903); H. S. Tanner, *A Description of the Canals and Railroads in the United States* (New York, 1840); George G. Tunell, *Transportation on the Great Lakes in Journal of Political Economy*, vol. iv. (Chicago, 1896); H. K. White, *History of the Union Pacific Railroad* (Chicago, 1895).

† Prepared for this history by Herbert N. Casson, author of *American Telegraph and Telephone Systems*; etc.

by the public and it was with difficulty that the New York and Boston Magnetic Telegraph Company was organized and money secured for the construction of a line between Philadelphia and New York. This line was completed in January of 1846, but its eastern terminus was Fort Lee on the New Jersey bank of the Hudson River. It was not until ten years later that a cable service under the Hudson River was successfully instituted, so that messages could be sent direct from and to the New York office of the company.

In 1846 the telegraph began its uninterrupted career of success. Wires went up all over the country; the steadily increasing public demand outran the efforts to add to facilities; competing companies, contesting the validity of the Morse patents, sprang up. Every section of the country demanded and was provided with the telegraph before 1850. Among the early telegraph companies, the principal ones, with the dates of their organization, were:

New York and Boston Magnetic Telegraph Co.	1845
New York, Albany and Buffalo Electric-Magnetic Co.	1846
Lake Erie Telegraph Co.	1847
New York State Printing Co.	1847
Ohio and Mississippi Telegraph Co.	1848
St. Louis and New Orleans Telegraph Co.	1848
New York State Telegraph Co.	1849
New York and New England Telegraph Co.	1849
American Telegraph Co.	1858
Illinois and Mississippi Telegraph Co.	1849
Erie and Michigan Telegraph Co.	1848
New York and Erie Telegraph Co.	1849
Maine State Telegraph Co.	1847

Vermont and Boston Telegraph Co.	1848
Atlantic and Ohio Telegraph Co.	1848
Atlantic Lakes and Mississippi Valley Telegraph Co.	1845
New York and Washington Printing Telegraph Co.	1848
North American Telegraph Co.	1848
Washington and New Orleans Telegraph Co.	1846
Western Telegraph Co.	1848
Ohio, Indiana and Illinois Telegraph Co.	1849
St. Louis and Missouri River Telegraph Co.	1850
Northwestern Telegraph Co.	1856
Western Union Telegraph Co.	1851

The history of the first decade of the telegraph is a record of marvellous expansion, of keen competition between rival interests, of litigation, failures and bankruptcy. The companies already enumerated were not alone in the field. Scores of others were organized, and many lines were so hastily and imperfectly erected that they went to pieces in a few years. The country was "telegraph-crazy," and promoters and contractors were in fierce competition with each other. The companies working under the Morse patent did not have a monopoly. Companies were organized and successfully conducted under the House and Hughes patents, both of which were for the transmission and recording of messages by the Roman letter characters and not by the Morse dots and dashes; and also under the Bain patent, which was for a method of recording the message on a chemically-prepared paper.

As a natural result of this intense rivalry and remarkable development, the business was greatly overdone and

in many instances was weakly begun. Movements toward combination and consolidation set in early, especially on the part of the smaller and financially weaker companies. In the decade after 1845 the Magnetic Telegraph Company took over many of these lines as fast as they sprang up. Other powerful companies — notably the American and the Western Union — came into existence, however, in this period. The American was owned by Peter Cooper, Abram S. Hewitt, and Cyrus W. Field, and in 1858 it absorbed various New England, Newfoundland, and Southern lines, and in the following year the pioneer Magnetic Company.

From its beginning in 1851 the Western Union Company was preëminently successful and its extension was rapid. In a few years it secured control of the Atlantic and Ohio and also the New York, Albany and Buffalo Magnetic Electric Telegraph Company, then one of the strongest corporations. It moved its headquarters from Rochester to New York City and entered upon a National career. Presently it reached out and secured lines in the South and West, and when the Civil War began it held a position of supreme importance. Its work during the Civil War, and especially in the service of the United States government, was sound and brilliantly serviceable, adding much to its prestige. In 1866 it absorbed the American Telegraph Company, and

became the great company of the United States.

In California many small companies were started between 1852 and 1856, but most of these were ultimately merged in the California State Telegraph Company. A transcontinental line was considered as early as 1857. The necessity of bringing the East and the far West into closer touch was emphasized by the Civil War. The Government realized the importance of the proposed line, especially in its military advantage affording means of quick communication with the forts of the West and the Pacific Coast. A government subsidy was granted in 1860 and the Western Union Company, in coöperation with the California State Company, successfully accomplished this work. At the same time an overland line to Europe, by the way of Behring Strait, Siberia and Russia, was projected. Surveys were made and work was begun, but the successful laying of the Atlantic cable caused the abandonment of the project, after more than \$3,000,000 had been spent upon it.

In 1851 the first attempt to lay a cable from Newfoundland to the American continent was made. It failed then, but was executed five years later by the New York, Newfoundland and London Electric Telegraph Company, in which Cyrus W. Field, Marshal D. Roberts, Peter Cooper, Moses Taylor, and Chandler

White were the moving spirits. The success of this enterprise led these financiers to consider the feasibility of a trans-Atlantic cable. Several at-

tempts to lay this cable were made in 1857, in 1858 and thereafter, but it was not until 1866 that the work was finally accomplished.*

CHAPTER VI.

1789-1865.

HISTORY OF BANKING AND CURRENCY.†

Hamilton's financial policy — Discontinuance of the Bank of the United States in 1811 — Chartering of the second Federal Bank in 1816 — Dangers of State banks — The Philadelphia Saving Fund Society and other savings banks — Opposition aroused by the prosperity of the Bank of the United States — Jackson's veto of the bill renewing its charter — Apportionment of the Bank's surplus among the States — Increased activity of State banks and the resulting panic — Jackson's "Specie Circular" — The Independent Treasury Act — The Suffolk Bank plan and the "New York Safety Fund System" — Opening of the first Clearing House in 1853 — Another financial panic — A decade of uninterrupted prosperity — The National banking law of 1864 — Banking conditions at the close of the Civil War.

In 1789, after the Constitution had been signed and the new government actually started, Alexander Hamilton, then Minister of Finance, came forward with his famous financial policy. Acting in accordance with it, the United States assumed the bonded debt previously incurred by the Continental Congress and instituted the Bank of the United States as the central financial power of the country. This institution, located at Philadelphia, was chartered in 1791 for a term of 20 years to issue notes under \$10 in value and be the depository of the National moneys as well as the fiscal agent of the Government and of the United States Treasury in every way. Congress took one-fifth of the authorized capital of \$10,000,000, the whole amount being subscribed partly in coin and partly in governmental securities. The notes issued by the bank

were receivable by the Government for all debts. The Bank of the United States was empowered also to establish branches, the first one of which to be opened was an office of deposit and discount in New York.

At the same time numerous State banks began to spring up and, although all of them issued notes of

* James D. Reid, *The Telegraph in America, Its Founders, Promoters and Noted Men* (New York, 1879 and 1886); Thomas T. Eckert, *The Telegraph in Chauncey M. Depew* (ed.), *One Hundred Years of American Commerce* (New York, 1895); William Maver, Jr., *American Telegraphy and Encyclopedia of the Telegraph* (New York, 1909); C. F. and A. M. Briggs, *The Story of the Telegraph and a History of the Great Atlantic Cable* (New York, 1858); *Telephones and Telegraphs* (report of the United States Census Bureau, Washington, 1906 and 1909); George B. Prescott, *History, Theory and Practice of the Electric Telegraph* (New York, 1877).

† Prepared for this History by Henry Clews, Banker, New York; author of *Fifty Years in Wall Street* and *The Wall Street Point of View*.

their own, such issues were controlled by the central bank, because of its vastly larger capital. Meanwhile the Bank of the United States did all in its power to maintain the banking of the Nation on a stable basis by refusing the notes of all banks which were not sound, either as deposits or in payments. In 1811, therefore, when the charter of the Bank of the United States expired, the State banks quite naturally united in strenuous opposition to its renewal. A few years before the Government had disposed of its stock in the institution, so that at the time it had no direct interest in it, and the result was that the central bank thereupon went out of existence. The withdrawal of this bank, together with the outbreak of the second war with Great Britain the following year, left the country in a decidedly unfortunate financial condition. Having previously depended upon the Bank of the United States for its credit, the Government then had practically none of its own and was in consequence compelled to fall back largely upon the already established banks then in operation. With the moderating influence of the Bank of the United States removed, the latter increased in number at a tremendous rate. Prior to the chartering of the Bank of the United States there had been but three State banks in the entire country; at the time of the expiration of the charter there were 88, all issuing paper currency; and before the end of 1814 this number had been swelled to

150, the aggregate note issues of which approximated \$62,000,000. With the War of 1812 came a general suspension of specie payments and a disordered condition of bank-note currency throughout the country.

During the entire period from 1789 to 1862 gold and silver coin formed the sole legal tender for private debts in the United States. The only paper currency in circulation at that time was that issued by the private banks, which was redeemable in specie. It was not until 70 years after the Federal Constitution became operative that circulating notes of the general government, payable on demand, were put into circulation. The various States were forbidden by the Constitution to issue bills of credit, so that the State banks had all the more power. The varying value of the note issues of the latter, however, was the cause of unlimited financial disturbance and chaos and, coming as they did in the midst of the troublous war times, the necessity of some central money power became fully apparent. Accordingly, on April 3, 1816, the second Bank of the United States was chartered with a capital of \$35,000,000, of which the Government again took one-fifth. This bank issued notes worth \$5 or more, payable in specie on demand, and conducted a general banking business so successfully that its stock was quoted at 50 per cent. above par. This bank naturally became the official depository of Government funds, as well as the

agent for negotiating Federal and State loans. It was also given the privilege of instituting branch banks wherever the need should arise. Using this power, it opened branches in all the principal cities of the country, no less than 27 such branches being in highly successful operation up to the year 1830.

With such a reliable institution holding the balance of the financial power, it was only to be expected that the people should view with distrust and disfavor the somewhat questionable methods of the State banks. The immediate upshot of the situation was that the latter were forced either to resume specie payment or pass altogether out of existence. Out of the 446 State banks then in operation, so many were compelled to accept the latter alternative that but 165 survived. In an effort to safeguard depositors from the evils which had characterized this State banking system, almost all the States enacted precautionary measures to regulate the operations of such institutions as continued to keep their doors open. Prominent among these laws was the general banking law passed by the New York Legislature in 1829, known as the "Safety Fund Act," which provided that banks were permitted to issue notes for general circulation to an amount not exceeding twice their capital, at the same time limiting the amount of their loans to two and a half times their capital. In order that banks which became insolvent could

make good the payment of the circulation and other debts, a guarantee fund was at the same time established under which all banks paid into the State treasury one-half of one per cent. on their capital stock until an aggregate of three per cent. had been deposited.

During this same interval, which may practically be termed the reconstruction period in American banking, while so many eminent financiers were busying themselves with the problems of the Bank of the United States and how to make it pay, a new banking development was brought forward by a group of Philadelphia business men. They established in Philadelphia, the home of American banking, an institution called the Philadelphia Saving Fund Society, where persons of moderate means might find a repository for their small savings. This was the first savings bank in the United States and marked the beginning of an institution which has flourished with steadily increasing prosperity ever since. New York and Boston speedily followed the lead of Philadelphia, and before the close of 1820 the savings bank had gained such popularity with the small depositors that there were 10 such institutions throughout the country, with a total of 8,635 depositors and deposits exceeding \$1,000,000.

All the while the Bank of the United States was continuing to grow in strength and stability, its report of November 1, 1832, showing that it had

a surplus of \$42,296,920.77 after its liabilities (including notes in circulation, deposits, and all other debts) had been checked off against its assets (including specie, cash in Europe, and debts from reliable banking and industrial corporations). This undoubtedly placed it among the richest institutions then in existence, but, despite its undeniable prosperity, the opposition to it from many quarters was strong.

Of all those who cried out against the Bank of the United States none was more vehement in his disapprobation than President Andrew Jackson. In his message to Congress in December of 1829, when the matter of rechartering was being widely discussed, he set himself on record as in every way opposed to such a scheme for centralizing the Nation's fiscal power. He declared that, besides being dangerous to National liberty, it was positively unconstitutional. So strong were his expressions upon this point that it occasioned not the slightest surprise when in July of 1832 he finally vetoed the bill to renew the charter of the bank which had served the country so well and more than once had saved the credit of the Nation.

It then became necessary to withdraw the public funds and, although some difficulty was encountered in the fact that such action could be taken only by the Secretary of the Treasury, who in this particular instance refused to act, the matter was finally adjusted. By vote of Congress, the surplus was

distributed among the States. Nicholas Biddle succeeded in persuading the Pennsylvania legislature to pass an act incorporating the old institution as the Pennsylvania Bank of the United States and, working under that charter, tried bravely to keep it alive. The effort proved futile, however, and the bank finally closed its doors in 1840.

The unwillingness of the Administration to permit the Bank of the United States to continue gave the State banks the same opportunity they had enjoyed when the first United States Bank suspended in 1811. Once more the field was clear for them, and once more they took advantage of this situation. New issues of State bank-notes came out in a perfect flood, and in their wake followed speculation of the most frenzied order. Specie practically disappeared from circulation, and from this time until the beginning of the Civil War the bank issues, such as they were, constituted almost the entire currency of the country. The want of a system of mutual exchange of notes among the banks themselves was one of the many faults of this paper circulation, while the presence of insolvent or (as they were called) "wildeat" banks, constantly issuing notes which were not worth the paper they were written on, tended to complicate matters still further. Still the banks went on increasing and taking advantage of the situation. In 1837 there were no fewer than 634 of them, with an aggregate capital of \$291,000,000, of which \$149,000,000 was in

circulating notes and \$127,000,000 in deposits, while their total loans and discounts amounted to \$525,000,000. With such a state of affairs, a crash was inevitable sooner or later. Numerous small panics paved the way for it, but the real trouble came in 1837.

This was hastened by two things. In the first place, an abnormally large cotton crop the previous year was accompanied by a proportionate slump in prices and a consequent depreciation in the credit of all those connected with the cotton industry. At the same time President Jackson, apparently feeling it incumbent upon him to bring some sort of order out of the financial confusion wrought by the removal of the central bank, issued his famous "Specie Circular" as a preliminary step to remodeling the fiscal system of the Nation. This document required all agents of public lands to accept nothing but specie in payment. In the fever of speculation which had swept over the land, public lands had attracted the operators to a greater extent than anything else, so that, in accordance with the administrative order, the banks were suddenly called upon to redeem practically all their circulation in specie. The contingency found them utterly unprepared and on May 9, 1837, payment was again suspended. Values slumped with alarming rapidity and the business of the whole Nation was thrown into disorder. Months passed, and still no relief appeared. Representatives of nearly 150 banks gathered in New

York the following November and, although suggestion after suggestion was made, no generally acceptable means of overcoming the situation developed. Meanwhile Jackson had been succeeded in the Presidential chair by Van Buren, who, fully realizing that it was the duty of the Administration to find some way out of the financial dilemma, evolved his sub-treasury plan as a safeguard to the public against failing banks. Provident as this suggestion was, however, it encountered at first the bitterest opposition, chiefly because it did not seem to offer any immediate solution of the problem in hand. It was not until 1840 that it was finally made law, when Congress passed it as the Independent Treasury Act. Before that, however, Congress came to the rescue with a bankruptcy law and, aided by the States, which passed statutes of limitations and like measures, some sort of order began to appear out of the chaos. Subsequently the Federal government had no more direct connection with the banking of the country until the outbreak of the Civil War.

One result of this severe crisis was that the banks adopted a policy of retrenchment and generally exercised more caution. During the five years immediately succeeding the suspension of payments in 1837, the number of banks in the country was reduced by almost a hundred, while both circulation and discounts were practically cut in half. Among the numerous protective measures adopted with regard

to banks at this time, one—the Suffolk Bank plan of Massachusetts — stands out prominently.

In 1818 the Suffolk Bank was chartered in Massachusetts. At this time the country banks of New England were banks of issue almost exclusively and had but small deposits. At home and also in Boston they discounted commercial paper for which they paid out their own circulating notes. The notes of the Boston banks were at par everywhere while those of the country banks were at a discount in Boston of 1 per cent. and upwards, according to the distance of the place where they were issued and the difficulty of returning them for redemption. The Boston notes being worth 100 cents on the dollar were promptly returned to the issuing banks as deposits, whereas the notes of the country banks being worth at the most 99 cents on the dollar were paid out by the holders for purchases, wages, etc., and were thus kept in circulation. When the Suffolk Bank began business, the Boston banks — seven in number — with more than half the banking capital of New England, had less than 4 per cent. of the circulation. The Suffolk Bank soon conceived the idea of redeeming country bank notes at par provided the issuing banks maintain a fixed deposit with it, in addition to an available deposit sufficient to redeem such of their notes as should reach Boston in the course of trade. The Suffolk Bank was to be reimbursed only by the interest on the fixed deposit. The

majority of the country banks declined this proposition, whereupon the Suffolk Bank began to collect their notes systematically and send them home for redemption in specie. The country banks were furious but helpless. Then ensued a bitter fight which at first was maintained by the Suffolk Bank single-handed. Most of the trouble came from Maine and the Suffolk suggested that the Boston banks establish a fund for the purpose of collecting and sending home the notes of that State. This proposition was adopted, and at the same time the rule was applied to banks outside Massachusetts and to such banks within the State as the committee of the associated banks should think proper. The Suffolk Bank was appointed the agent to carry the plan into effect. This movement greatly excited the country banks who dubbed the associated banks “the holy alliance” and the Suffolk Bank “the six tailed Bashaw.” Nothing availed the country banks, however, upon whom the runs remorselessly continued until they began to come in and make the required deposits. From such banks as made a permanent deposit with the Suffolk of \$2,000 or more, according to the amount of its capital, and whatever additional sum might be necessary to redeem the notes which came to Boston, the Suffolk Bank agreed to receive notes at par. Thus the Suffolk Bank by degrees became the clearing house for the notes of all New England banks,

balancing them against each other every day.

There were some complaining banks all the time, but after the Suffolk system had been fairly established these were but a small minority. When the time came for resuming specie payments after the panic of 1837 the question of renewing the system came under discussion. The banks of Massachusetts, Connecticut, Vermont, and New Hampshire voted at once to sustain it and those of Maine and Rhode Island came in soon afterwards. The number of banks embraced in the system in 1857 was 504 which had been chartered by the legislatures of those States at different times during the previous half-century. Between 1831 and 1833, 90 new banks had been chartered, many of which had little or no capital, the specie which the law required them to have being borrowed one day and replaced with stock notes the next. The Suffolk Bank took upon itself the prerogatives of comptroller of the currency, taking the same steps which the national banking law now requires a comptroller to take, and refusing the privileges of the system to any bank without assigning a reason save that it was not satisfied with the looks of the new candidate. Nothing could prevent the new bank from issuing notes, but the Suffolk could withhold its passport and thus prevent its getting any circulation outside of its immediate vicinity. The precautions taken in admitting new comers were for the

credit and good name of the system and of New England banking. During the Suffolk régime there were some disastrous failures in New England, particularly in 1837, when all the Massachusetts banks in common with a majority throughout the country suspended specie payments for one year. In 1838, however, the sound banks resumed, but 11 which were in unsound condition did not. The Suffolk suffered some loss because of the advances made to the failing concerns, but from 1818 to 1864, when the Suffolk changed into a national bank, it was able to declare dividends at the average rate of $11\frac{1}{2}$ per cent. per annum. About 1855 the country banks decided to establish a bank of their own in Boston to perform the work heretofore done by the Suffolk. This was the Bank of Mutual Redemption, which was started in 1858. This bank divided the business with the Suffolk, but until 1866, when the national banking system went into operation, the Suffolk continued to redeem country bank notes.*

As a result of the Suffolk Bank system and of the "New York Safety Fund System," adhered to in New York and other Northern States, the bank paper of the East and North attained a stability which that of the South and West never equalled. Despite this fact, however, economic conditions in the South were such that

* White, *Money and Banking*, pp. 324-333. See also the tract *New England Bank Currency* by L. Carroll Root, issued by the Sound Currency Committee of the Reform Club, New York.

the paper currency of that section proved adequate and, even without any such redemption fund methods, no part of the United States enjoyed greater prosperity than the South during the twenty years preceding the war.

During all this period agitation continued in many quarters in favor of another United States Bank, but nothing definite ever came of it. In 1849 the discovery of gold in California gave a great impetus to National prosperity and under this influence the question of banking ceased to cause so much worry for a time.

It was at this juncture that the first clearing house was devised and made operative. Up to this time each bank had been compelled to send separately to all other banks for payment such of their checks as it might hold, standing ready, in turn, to pay cash to the other banks for such checks of its own as might be out. Bankers had long been impatient of this clumsy system of transaction, and when the New York Clearing House Association in the fall of 1853 offered a more efficacious and speedy method, its success was instantaneous. The system of the clearing house was to have each member of the association send a clerk to the general office at a specified time every day with all the checks it held for collection. Here these were assorted and the sum total held by each bank checked off against the sum total of all the checks

presented against it. In case a balance in favor of the other banks was shown, each bank paid the clearing house whatever amount was due, whereas if the checking off showed a balance in favor of the bank in question, the clearing house at once drew its check for the necessary sum. This not only succeeded in greatly facilitating business, but made its influence felt also in the matter of economizing currency and lending increased security to the great banking interests of the country.

But somehow the country seemed unable to profit by its former mistakes. The gold boom lent a false color to all things fiscal, and under this spell overspeculation once more became rife. The outcome was just as sure in this case as it had been before. The wisest financiers had long felt an impending crisis, but when the blow at last fell on August 24, 1853, with the suspension of the Ohio Life and Trust Company, which at the time had liabilities of more than \$7,000,000, it came with such suddenness as once again to throw the entire Nation into consternation. As a result of the failure of the Ohio Life and Trust Company, the Philadelphia banks were forced to suspend before another month had passed, following which a general suspension extended through Virginia, Maryland, the District of Columbia, and northward as far as Rhode Island. From here the panic spread quickly throughout New England, affairs coming to such a

pass in this section that not only did the banks close their doors, but factories and workshops also temporarily suspended. With their sole means of support thus taken from them, armies of workingmen, desperate in their fear of starvation and poverty, paraded the streets of New England cities and towns. Rioting broke out in many places, and more than once the State militia was called upon to restore order.

In New York the general distrust manifested itself in runs on nearly all banks. These continued so uninterruptedly that finally, on October 14, the New York State legislature, in an effort to stave off the utter demoralization of the banking system, passed an act authorizing the suspension of specie payment for one year. Taking advantage of this temporary respite, the banks hastened to fortify themselves, with the result that before the close of the year many of them had opened their doors and were doing business as usual. This marked the beginning of a universal clearing up of conditions. The entire panic, intense as it was, lasted but a year. Nevertheless, it left indelible evidence of its severity in the 5,123 commercial failures recorded, involving liabilities aggregating about \$291,750,000.

By the end of 1854 things were almost at their normal pitch again and the old time prosperity commenced to return. This steadily increased to the time of the Civil War. In 1860 the flourishing condition of the country

was shown by the successful existence of 1,562 banks, with an aggregate capital of \$422,000,000, a circulation of approximately \$207,000,000, deposits of \$254,000,000, and specie in hand to an amount exceeding \$83,500,000.

The outbreak of the Civil War, however, changed all this and once more brought the country face to face with a critical financial situation. When Congress met in extraordinary session on July 4, 1861, the Nation was already in debt, while the Treasury was empty and estimates placed the probable war expenditure at about \$1,000,000 a day. The Government raised a loan which sufficed to tide things over for a time, but meanwhile the cost of the war had mounted up to almost \$2,000,000 daily and heroic measures became necessary. Here Secretary Chase advised the creation of a series of banking associations under a National law requiring them to secure their circulation by a deposit of Government securities. Despite the fact that in December of 1861 the long suspension of specie payments caused by the war had begun and Congress had been obliged to authorize the issue of many demand notes, this plan met with much opposition, and it was not until February 25, 1863, that, having at last passed both houses, it received the President's signature and became law. About a year later — on June 3, 1864 — the National banking law was passed, this being the enactment which has regu-

lated the operation of the National banks of the United States ever since.

It was under this system of Secretary Chase's, therefore, that the Governmental "legal tender" witnessed its beginning. According to the banking law of 1864, the association of at least five persons and a fully paid up capital is necessary to the establishment of a bank. Then, in order to guarantee its notes of issue, it is compelled to hold the Government's pledge in the form of United States bonds, on which the comptroller of the currency authorizes it to circulate such notes to an amount equal to the par value of the securities, not exceeding the authorized capital stock.

Splendid as this system was, the authorities realized that it could never attain real efficiency while the State banks continued to issue notes after the fashion in vogue since 1836. In order to do away with the chance of this competition, therefore, a tax of 10 per cent. was imposed on the circulating notes of the State banks. To the latter institutions this was absolutely prohibitive and, accordingly, almost all of them either changed their mode of operation in conformity to the new order of things, or else went out of business altogether. When the long, bitter struggle between the North and the South came to an end, there were less than 500 of the old State banks that had not followed one or the other of these courses. Those that did remain left the matter of currency entirely to the new type of Na-

tional banks, confining themselves to a general banking business of loan, discount, and deposit.

During the war the South attempted to meet its enormous war obligations with huge issues of treasury notes, but, as these were limited with a condition to pay after the ratification of a treaty of peace between the Confederate States and the United States of America, they were possessed of an uncertainty which rendered their value as elastic as the fortunes of the two conflicting armies. The value of this currency depreciated steadily from the beginning of hostilities until their close in 1865.*

* In general, see F. A. Cleveland, *The Bank and the Treasury* (New York, 1905); C. A. Conant, *Modern Banks of Issue* (New York, 1896); Amos Kidder Fiske, *The Modern Bank* (New York, 1904); H. M. P. Eckart, *A Rational Banking System* (New York, 1911); O. W. M. Sprague, *Banking Reform in the United States* (Boston, 1911); S. Deau, *History of Banks and Banking to 1883* (Boston, 1884); Walter Henry Hull, *Practical Problems in Banking and Currency*—a number of selected addresses delivered in recent years by prominent bankers, financiers and economists (New York, 1907); George Ernest Barnett, *State Banking in the United States Since the Passage of the National Bank Act* (Baltimore, 1902); J. T. Morse, *Treatise on the Law Relating to Banks and Banking* (Boston, 1870). On the more special phases of this subject, consult J. Cleveland, *Banking System of the State of New York* (New York, 1857); W. M. Gouge, *A Short History of Money and Banking in the United States* (Philadelphia, 1833, reprinted, New York, 1850); R. Hildreth, *Banks, Banking and Paper Currency* (Boston, 1840), Hotchkiss, *Banks and Banking 1771-1888* (New York, 1888); E. Lord, *Principles of Currency and Banking* (New York, 1829); C. Moran, *Money, Currencies and Banking* (New York, 1875); C. Ragnet, *Treatise on Currency and Banking* (Philadelphia, 1839); United States Treasury Department statements showing the condition of the State banks, 1832-1863 (Washington, 1835-64); United States Treasury

CHAPTER VII.

1789-1865.

LABOR AND ITS PROBLEMS.

The advent of the factory system — Its introduction into the textile industry — Effects of the power loom — Effects of machine production on the cotton industry — Its influence on the boot and shoe industry — Woman's entrance into the industrial field — The South's tardy industrial development — Its causes.

The new factory system seemed to meet perfectly the industrial situation existing in the North. Labor, which before had been more or less desultory and thus economically wasteful, was brought under conditions that favored the advantageous employment of capital, broadened the field of occupation, established new industries in a section meagre in agriculture and other natural resources, and founded industrial communities which grew in wealth and population. In large measure, that was the history of the

Department reports of the secretary of the Treasury of the United States 1790-1849 (7 vols., Washington, 1837-51); E. W. Keyes, *A History of Savings Banks in the United States 1816-74* (New York, 1878) and *A History of Savings Banks in the State of New York 1819-69* (Albany, 1870); Davis Rich Dewey, *State Banking Before the Civil War* (1910); Samuel Breck, *Historical Sketch of Continental Paper Money* (Philadelphia, 1843); Alexander Hamilton, *Report on the Subject of a National Bank. Read in the House of Representatives, Dec. 13, 1790* (New York, 1811) and *Letter on the Banks and the Currency* (New York, 1839); Daniel Webster, *Speeches in Senate during 1832* (Washington and Boston, 1832), *Speeches during 1834* (Washington, 1834) and *Speech on the Currency, delivered at a merchants' meeting in Wall street, New York* (New York, 1840); Charles Francis Adams, *Reflections Upon the Present State of the Currency in the United States* (Boston, 1837); Middleton, *The Government and the Currency* (New York, 1850).

New England States — especially Massachusetts and Rhode Island — during the first half of the Nineteenth century. It was true also of the Middle States, and, in a measure, of the South. As the younger States came into political and industrial existence, the factory system invaded their territory and became a great factor in their industrial life and prosperity.

As the textile manufacturing industry was the first to feel the impulse of machine production and to adopt the factory system, it was there that the results of the new system were for a long time most conspicuous. For a few years after 1793 Samuel Slater's machine-equipped mill in Providence was alone in the field. In 1799 Slater and his associates started a second mill in Massachusetts on the banks of the Pawtucket River. By this time the success of the Whitney cotton-gin, invented in 1793, was insuring an adequate supply of the desired fibre at a low price, and with this the development of cotton manufacturing and the consequent increased employment of labor progressed rapidly. Mills were built elsewhere in the country, notably

in Pennsylvania and New York — the first one in the latter State being erected in Utica as early as 1807.

The invention of the power loom by Francis C. Lowell, of Boston, gave added impetus to the cotton industry in 1814, when this loom was started in a new mill located on the banks of the Charles River in Waltham, a suburb of Boston in Massachusetts; 1,700 spindles were there set at work, and this was practically the beginning of modern cotton manufacturing in America and of the factory system of labor generally. A writer has said that this factory "was the first in the world, so far as any record goes, in which all the processes involved in the manufacture of goods, from the raw material to the finished product, were carried on in one establishment by successive steps, mathematically considered, under one harmonious system." *

In 1809 62 mills were in operation, working 31,000 spindles, principally in Massachusetts, Rhode Island, and Connecticut, but also in the other New England States, in New York, New Jersey, Pennsylvania, Virginia, Kentucky, Tennessee, and elsewhere. Factories sprang up on all the important streams of New England; and typical factory towns like Lowell, Lawrence, Holyoke, and Fall River in Massachusetts, Cohoes in New York, Paterson in New Jersey, and many others came into existence, with many

important establishments on the banks of the Southern rivers. In 1815 Massachusetts, Rhode Island, and Connecticut had 165 factories and 119,510 spindles; in 1820 250,572 spindles were operated and 9,945,609 pounds of cotton were spun in 16 States.

Although the factory system was thus conspicuously developed in the cotton manufacturing industry, it presently spread to other branches of employment and became the important labor factor of the century. Statistics of manufactures in the United States for the year ending June 30, 1840, give the number of workmen employed in 37 industries as 400,000. Cotton manufacture employed 72,000 persons, other industries where the factory system was adopted wholly or in part — such as leather tanneries and factories, silk mills, paper mills, printing and binding, flour, grist, and saw mills, and iron manufactories — employing over 150,000 more. In other words, more than half the workers in the given 37 industries were involved in the factory system. Statistics gathered for the census of 1850, covering a larger number of industries, give the number of workers as nearly 1,000,000, more than 550,000 of whom were employed in factories. In 1860 the total value of all kinds of cotton goods manufactured in the United States was \$115,681,774, of woolen goods, \$61,895,217; and of clothing, \$73,219,765. Practically all of this was the product of factory labor. In textile manufacturing alone there were

* Carroll D. Wright, *The Industrial Evolution of the United States*, p. 131.

194,082 employes, who received \$40,-353,462 in wages.

By this time, too, the great boot and shoe industry was beginning to show the effects of the factory system and the extensive application of machinery. Small shops with a few workers had been the unit of the industry heretofore. Now nearly all these had disappeared, and in their place had sprung up the big shoe factories, equipped with labor-saving machinery and employing many workers. In no other industry was there a more perfect adoption of the new method of manufacturing. Under the stimulus of the factory system, this industry exhibited a notable development in the decade 1850-1860. The census for 1850 reported 11,305 establishments, with manufactures valued at \$53,967,408 and employes numbering 105,254. By 1860 the product of the industry had reached a value of \$91,-891,498. Of this amount New England, New York, New Jersey, and Pennsylvania claimed \$75,674,946. In 1860 New England alone had 81,017 workers in the shoe industry.

During the colonial and much of the State period, women and children were not important factors in economic activity, their labor being almost exclusively domestic. Their entrance into the economic field began with the introduction of machinery in the latter half of the Eighteenth century, but their presence there did not assume sufficient importance materially to affect labor conditions before

the establishment of the factory system. At first there was a strong prejudice against the employment of women and children in factories, and it was not much before the close of the second decade of the Nineteenth century that they, abandoning their home spinning and other household crafts, followed the textile industries into the factories. But once the step was taken, the invasion of the other branches of industry followed naturally. Still there were not many such employments open to them before the middle of the century. An English writer (Harriet Martineau) traveling in America in 1840 found them in only seven — teaching, household service, needle-work, boarding-house keeping, type-setting, cotton-milling, and book-binding. Only the last two were factory occupations. Within another decade, however, they had made some advance as independent wage-earners in what was to them an entirely new sphere of industrial activity.

According to the census of 1850, there were 225,298 females and 741,-671 males employed in the manufacturing industries of the country. The principal contingents of female workers were 32,919 in boot and shoe factories, 61,500 as clothiers and tailors, 62,001 in cotton and woolen mills, and 14,976 in carding and fulling woolens.

Compared with the North, the South was little affected by the introduction of machinery and the installation of the factory system. The main dependence of that section of the country was

still upon its plantation products — chiefly cotton, tobacco, rice, and sugar. The invention of the cotton-gin, which made the cotton fibre of improved workable quality and therefore in greater demand, encouraged the system of slave-labor and broadened the field of its employment, especially in the new Southwest. Before the Civil War nearly all cotton was produced by negro slaves. After 1800 there was a steady increase in negro population, decade by decade, from 1,002,000 in that year to 1,380,000 in 1810, 1,777,000 in 1820, 2,328,000 in 1830, 2,873,000 in 1840, 3,638,000 in 1850 and 4,441,000 in 1860. The increase was much more notable in the cotton States than in the upper South, and the change was coincident with the shifting of the cotton belt. In 1800 three-fourths of the cotton was produced in Virginia and the Carolinas, while in 1860 two-thirds of it came from Georgia, Alabama, Mississippi, and Louisiana.

But the slave-labor system, while predominant, was not exclusive. Free contract-labor also prevailed in the South as it did in the North; in the former employed chiefly in agriculture, very little of it figuring in manufacturing. In 1790 there were, in

round numbers, 700,000 slaves in the United States and 60,000 free negroes. In 1860 there were 3,950,000 slaves and 488,000 free negroes, of which number 215,000 were in the slave-holding States. In 1850 the whites of the slave-holding States numbered 6,222,418. It has been estimated that at that time "considerably more than 1,250,000 of Southern whites [were] engaged in earning a living by some form of manual labor." *

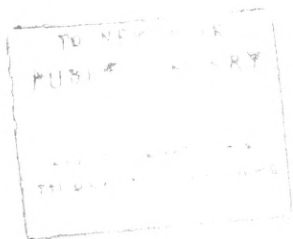
* Alfred Holt Stone, *Free Contract Labor in the Ante-Bellum South*, in *The South in the Building of the Nation*, vol. v., p. 134. For other works on the labor question, see Horace G. Wadlin, *Labor Chronology*, in *Reports of the Massachusetts Labor Statistics Bureau* (Boston, 1893-94); Carroll D. Wright, *Industrial Evolution of the United States*; Talcott Williams, *Labor One Hundred Years Ago* (New York, 1888); *Economic Tracts*, no. xxiv., in *Publications of the New York Society for Political Education*; J. W. Alexander, *The American Mechanic and Working Man* (New York, 1847); *Annals of the American Academy of Political and Social Science*, vol. xxxiii. (Philadelphia, 1909); annual reports and publications of the labor bureaus of the several States; annual reports of the United States Commerce and Labor Department; annual reports of the United States Commissioner of Labor; R. T. Ely, *The Labor Movement in America* (New York, 1886); J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy and of the Political History of the United States* (3 vols., Chicago and New York, 1881-84). For white servitude and slavery in the South, see also *Johns Hopkins University Studies*, series xiii., nos. vi.-vii., series xiv., no. v., series xvii., nos. vii.-viii., and series xxii., nos. iii.-iv. (Baltimore, 1895-96-99-1904).

SERIES FOURTEEN

LECTURES SIXTY-FOUR TO SIXTY-SEVEN

Intellectual Progress, 1789—1865

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THE UNITED STATES

CHAPTER I.

1789-1865.

PROGRESS IN EDUCATION.

The growing interest in education at the close of the Eighteenth century — Increase in collegiate institutions between 1800 and 1830 — Virginia's first provision for public elementary schools — Provisions in the constitutions of North Carolina and Pennsylvania — Other provisions — The first State board of education — Educational progress in Connecticut and elsewhere, particularly in the West — The rise of academies — The higher education of women — Early attempts at a National university — Federal aid to State schools — The rise of professional schools.

THERE was a marked increase in public interest in education during the last decade of the Eighteenth and the first quarter of the Nineteenth centuries. This was shown in several ways: in the establishment of new collegiate institutions, in the development of the academy, in improved provisions for the advanced education of women, in the institution of land grants for educational purposes, in the general effort by the National government to work out some stable educational system, in the active encouragement given to the cause by many leading public men, and in the appearance of practical educators working not only for the education of their pupils, but trying also to arouse people to the necessity for improved schools.

To the colleges existing in 1789 seven were added before the close of the century — three in Tennessee and

one each in Massachusetts, New York, Maryland, and North Carolina. For the period between 1800 and 1830 the record was even more notable and significant. These 30 years included the first marked development of the United States previous to the great wave of European immigration. In 18 States 33 colleges were established. With the exception of Pennsylvania, which had four, and New York, which had three, the original 13 States gave way to the newer commonwealths, especially those of the West — Ohio with five, Illinois with three and Kentucky, Vermont and Maine with two each.

During the next three decades immigration attained large proportions, the telegraph and railroads opened new territories to settlement, and the great westward distribution of population set in. With all this material expansion education kept pace. The new States particularly seemed to vie

with each other in their activities in this direction. Elementary and secondary education became more widely and more firmly established, and the institutions of higher learning grew in number, in size and facilities. From 1830 to 1865 180 collegiate institutions were founded. The energy and enterprise of the Middle West was still manifest, for of these 180, Ohio had 16, Iowa and Indiana 12 each, and Illinois 11.

For elementary education Virginia made her first general provision in 1818, when money was appropriated for the support of charity schools in various towns. The measure was not popular, however — no more than the subsequent modifications of it in 1846 and other years. It was only after the Civil War that Virginia, in her new constitution of 1870, established a full State system of public schools. West Virginia set up a public school system immediately after the formation of the State in 1861.

North Carolina and Pennsylvania were the first States to provide for schools in their constitutions. This the former did in 1817, but the system did not obtain a strong hold, and nothing definite in the way of legislation was really accomplished before 1839. The law, which provided for schools in each of 1,250 school districts, partly supported by funds from the State treasury, was the basis of school organization till the close of the Civil War. In its early statehood career South Carolina manifested special in-

terest in education. Before 1826 32 academies had been instituted, while there were more than 9,000 pupils in the elementary schools. Still the schools were not sufficient in number, and only after the Civil War was an adequate public school system established. Georgia displayed a remarkable educational development in the first half-century. Six academies were in existence in 1800, 64 in 1829, and 186 in 1840. A legislative act of 1823 provided for the distribution of the sum of \$500,000 among the free schools and academies of the State, and this was in a large measure responsible for the rapid increase in the number of educational institutions there.

Massachusetts schools did not show much progress under the workings of the school law of 1789. In 1826 the system was much improved and in 1834 a permanent school fund was established. Three years later (in 1837) came the greatest advance of the century in the creation of a State board of education, with Horace Mann, the famous educator, as the first secretary. This legislation inaugurated the educational revival out of which grew our National educational system. In its final analysis, the revival of 1837–1850, which has been recognized as the turning point in American educational progress, may be briefly summarized as the stimulation of public interest in improved supervision and administration, better school buildings, teachers of a higher

class, well-arranged courses of study, good text books, and in an advanced and uniform system.

Connecticut made many futile attempts to encourage public schools in the latter part of the Eighteenth and the early years of the Nineteenth centuries, but it was not until 1837 (when Henry Barnard was appointed secretary of the State board of education) that real progress began. School laws, which gradually worked out the problems of public school education, were enacted in Rhode Island in 1828 and 1843; in Maine in 1827, 1846, and 1854; in New Hampshire in 1808, 1828, 1846, and 1850; in Vermont in 1825, 1826, and 1874; in the District of Columbia in 1804, 1848, and 1862 (with colored schools established in the latter year); in Delaware in 1792, 1797, 1812, 1837, and 1865; in Pennsylvania in 1834 (when a State system was established) and in 1854; in New Jersey in 1816, 1824, 1831, 1839, and 1845; in Maryland in 1812, 1826, and 1865.

Even more rapid and more pronounced than in the older States was the educational advance in the Middle, Western, and other States. The work was started in Ohio where academies were incorporated in 1802 and public school laws enacted in 1821, 1837, 1853, and 1855. Indiana progressed especially in the matter of founding seminaries, of which there were 24 in 1843, several of which ultimately developed into universities or colleges. During that part of the century which immediately preceded the breaking

out of the Civil War, the record of all the States and Territories west of the Alleghanies and the Rockies, including those of the Southwest, is not dissimilar. Immediately upon settlement, measures were taken to establish public educational institutions. In most cases the schools were poor affairs and the teaching sadly inefficient. But these conditions were quickly remedied by legislation demanded by public sentiment and the coöperation of the people in a cause everywhere recognized as supremely important. There were few if any public interests with which legislation in the several States of that period concerned itself more constantly and more effectively than with that of education.

In 1800 in eight representative States, North and South, there were 102 academies, distributed as follows: Maine, 5; New Hampshire, 10; Vermont, 10; Massachusetts, 17; New York, 19; Maryland, 5; North Carolina, 30; Georgia, 6. In 1820 the total in the same States was 265, distributed as follows: Maine, 20; New Hampshire, 18; Vermont, 24; Massachusetts, 19; New York, 33; Maryland, 24; North Carolina, 113; Georgia, 14. In 1840 the same States, exclusive of North Carolina and Georgia, had 426: Maine, 31; New Hampshire, 59; Vermont, 22; Massachusetts, 78; New York, 176; Maryland, 40. In 1850 the number in all the States was 6,085, distributed as follows:

Alabama	166
Arkansas	90
California	6

District of Columbia	47
Connecticut	202
Delaware	65
Florida	34
Michigan	37
Minnesota	1
Mississippi	171
Missouri	204
New Hampshire	107
New Jersey	225
New Mexico	1
New York	887
North Carolina	272
Ohio	206
Oregon	29
Georgia	219
Illinois	83
Indiana	131
Iowa	33
Kentucky	330
Louisiana	143
Maine	131
Maryland	223
Massachusetts	403
Pennsylvania	524
Rhode Island	46
South Carolina	202
Tennessee	264
Texas	97
Utah	13
Vermont	118
Virginia	317
Wisconsin	58

These institutions had a teaching staff of 12,260 instructors and a student body of 263,096. Their annual income, estimated in part, was \$5,831,179.*

In the closing years of the century the opportunities for higher education were more generally open to women. The New England academies, which were then being established, admitted them to their privileges—Leicester in 1784 and Westford in 1793. Early in the next century (in 1823) the Adams Academy, for girls only, was founded in Derry, New

Hampshire, and one in 1828 in Ipswich. In 1828 also Bradford Academy opened a department for girls and in 1836 became exclusively a female academy.

A growing public sentiment in favor of the higher education of women was gradually making itself felt and developing a distinct class of educators in this field. Conspicuous among them were Emma Willard, Catherine Beecher, Joseph Emerson, Mary Lyon and Zilpah P. Grant. Emma Willard opened her famous seminary in Troy, New York, in 1821, continuing her work there until 1838. Catherine Beecher labored in Hartford in 1822–1832. Joseph Emerson was head of the school in Byfield, Massachusetts, in 1818–1824. Mary Lyon opened her Mount Holyoke Seminary in Holyoke, Massachusetts, in 1837 and there taught until the end of her life in 1849. Zilpah P. Grant was principal of the Adams Academy in Derry, New Hampshire, and the Ipswich (Massachusetts) Academy, and was also associated with Mary Lyon at Mount Holyoke Seminary.

Not long after these beginnings the higher education of women reached the collegiate stage. The movement to give women the advantages of collegiate learning and the first experiment in coeducation were made in Ohio, in the Oberlin Institute (afterward Oberlin College), chartered in 1834. At the Oberlin commencement in 1841, three women received a degree—the first women to receive the

**American Journal of Education*, vol. i., p. 368.

degree in arts in the United States. Antioch College followed in the footsteps of Oberlin in 1853, and most of the States which founded universities after the middle of the century granted equal privileges to men and women — Utah in 1850, Iowa in 1856, Michigan in 1862, Kansas in 1866, and Minnesota in 1868. In 1868 the University of Indiana, chartered in 1820, also became free to women. Only one of the great colleges exclusively for women was founded before the last quarter of the Nineteenth century. Vassar College, at Poughkeepsie, New York, offered instruction early in 1865.

Early attempts were made to secure a National university at the seat of Government, the intense National spirit of the period giving stimulus to the idea. Washington strongly favored the plan, which had the support also of such statesmen as Pinckney, Jefferson, Madison, John Quincy Adams, Benjamin Rush, and Joel Barlow. But the consensus of opinion was not favorable, and after several Congressional committees had reported against the plan, it was finally abandoned. Federal interest in education was still pronounced, however, and finally took the form of aid to the individual States for that purpose. The Nation then had little cash for that or any other purpose, but had plenty of land. By the acquisition of the Northwest Territory by cession from the States, the Government had become land-rich. In the history of

the civilized world land has always been one of the principal endowments of colleges and universities and, following these precedents, the United States initiated its policy of granting land to the individual States for educational purposes.

In the Ordinance of 1795 dealing with the newly acquired public domain, Congress voted that lot number sixteen in every township should be reserved for the maintenance of public schools. After the famous Ordinance of 1787 had been passed, Congress again decreed that lot sixteen in each township should be reserved for purposes of education and that, for the purpose of a university, land, aggregating not more than two complete townships, should be given. The first to benefit from the operation of this law was the Northwest Territory, whose legislature in 1802 passed an act establishing a university, subsequently becoming the Ohio University, and giving to it in trust the grant of two townships of land. Since 1800 each State admitted to the Union, save Maine, Texas, and West Virginia, has received at least two townships of land for a university foundation. The following table shows the amount of land in acres thus granted to the States and territories for common school educational purposes prior to 1869:

States and Territories	For common schools	For seminaries and universities
Ohio	704,488	69,120
Indiana	650,317	46,080
Illinois	985,066	46,080

States and Territories	For common schools	For seminaries and universities
Missouri	1,199,139	46,080
Alabama	902,774	46,080
Mississippi	837,584	46,080
Louisiana	786,044	46,080
Michigan	1,067,397	46,080
Arkansas	886,460	46,080
Florida	908,503	92,160
Iowa	905,144	46,080
Wisconsin	958,649	92,160
California	6,719,324	46,080
Minnesota	2,969,990	82,640
Oregon	3,329,706	46,980
Kansas	2,801,306	46,080
Nevada	3,985,428	46,080
Nebraska	2,702,044	46,080
Colorado	3,715,555	46,080
Washington	2,488,675	46,080
New Mexico	4,309,368	46,080
Utah	3,003,613	46,080
Dakota	5,360,451	.....
Montana	5,112,035	.....
Arizona	4,050,347	.....
Idaho	3,068,231	.....
Wyoming	3,480,281	.....
Total	67,893,919	1,165,520

It is safe to estimate that these educational grants realized to the States close to \$200,000,000 as the contribution of the National Government to the common cause. During the same period 8,000,000 acres were granted to States for agricultural colleges, technical or mechanical colleges, seminaries and universities.

Special and professional schools did not come into existence before the middle of the Eighteenth century. A school of medicine, recognized as entitled to give degrees, existed in New York in 1769. A theological seminary was founded in Pennsylvania in 1778. The Medical School of Pennsylvania originated in 1765, was fully organized in 1767, and conferred its first degrees

in 1768. The first law school was opened after the peace of 1783. Medical schools were established in Harvard College in 1782, in Dartmouth in 1798, and in Yale in 1813. Thirty-three such schools were founded between 1820 and 1860. The first permanent law schools connected with colleges were established at Harvard in 1817, at Yale in 1824, and at the University of Virginia in 1826. Twelve such schools were established between 1840 and 1860. Higher industrial education began with the Rensselaer Polytechnic School in Troy, New York, in 1835, the Sheffield Scientific School of Yale in 1847, and the Lawrence Scientific School of Harvard in 1848. Ten theological seminaries were in existence between 1820 and 1829 and 49 in 1860. The first normal college for the training of teachers was opened in Concord, Vermont, in 1823; the first in Massachusetts in 1839; the first in New York in 1844. There were 20 such colleges or schools in 1860, in Maine, Connecticut, New York, New Jersey, Pennsylvania, Rhode Island, Illinois, Indiana, Wisconsin, Michigan, Minnesota, Kansas and California.*

* Edwin G. Dexter, *A History of Education in the United States* (New York, 1904); Charles F. Thwing, *A History of Higher Education in America* (New York, 1906); H. Barnard, *Report of the Commissioner of Education* (Syracuse, N. Y., 1867-68); Nicholas M. Butler, *Monographs on Education in the United States* (20 vols., Albany, 1904); Joseph M. Rice, *The Public School System of the United States* (New York, 1893); A. D. Mayo, *Horace Mann and the Great Revival of the American Common School 1830-1850*, in *Report of the Commissioner of Education 1896-1897*, vol. i. (Washington, 1897); G. B.

CHAPTER II.

1789-1865.

THE DEVELOPMENT OF RELIGIOUS ACTIVITIES AND INSTITUTIONS.

The religious decadence at the close of the Eighteenth century — The separation of Church and State — Beginnings of a religious revival and its characteristics — Broadening religious activity — The missionary field and missionary societies.

The religious condition of the United States in the closing decades of the Eighteenth century was one of almost complete decadence. One writer has vividly expressed it as "the lowest low-water mark of the lowest ebb-tide of spiritual life in the history of the American church."* The Presbyterian General Assembly in 1789 described the situation in these terms: "We perceive * * * a general dereliction of religious principles and practice among our fellow citizens, a visible and prevailing impiety and contempt for the laws and institutions of religion, an abounding infidelity, which in many instances tends to atheism itself." Leading Episcopalian divines and laymen de-

clared the belief that their church could not be revived again. In 1794-95 the membership of the Methodist Church fell off at the rate of about 4,000 a year. Intemperance, due largely to the war, was increasing and sapping the vitality of the churches. During the colonial period there had been comparatively little intemperance, but by 1800 this vice had become a National evil. In 1792 there were 2,382 distilleries in the United States, but in 1810 there were 14,141 — an increase of nearly 555 per cent., while the population increased less than 100 per cent. From September of 1791 to September of 1792 the consumption of wines and spirits in the country was 11,008,447 gallons — equal to about two and a half gallons for every man, woman and child in the Republic. Immorality and desecration of the orthodox Sabbath prevailed everywhere.

Free thought, engendered by French skepticism, particularly as promulgated by the powerful Encyclopedist school, undermined the influence of the Church. Men like Jefferson and Franklin were affected

Goode, *The Origin of the National Scientific and Educational Institutions of the United States*, in *The National Museum Report*, 1897, pt. ii. (Washington, 1901); Elmer E. Brown, *The Making of Our Middle Schools* (New York, 1902). and *Historical Sketches of the State School Systems*, in *Report of the Commissioner of Education*, 1876 (Washington, 1878); B. A. Hinsdale, *Horace Mann and the Common School Revival in the United States*, in *The Great Educators* series (New York, 1898); reports of the United States Commissioner of Education.

* Leonard Woolsey Bacon, *A History of American Christianity*, p. 230.

by this anti-religious propaganda and had many followers. The separation of Church and State, which was ultimately to safeguard both civil and ecclesiastical institutions, was in its initial stages injurious to the Church and indirectly to the cause of religion generally. The church organizations, which had heretofore relied upon the State for both moral and material support, could not immediately adjust themselves to the changed condition which compelled them to depend upon themselves. Their influence with the people, already weakened by many events of the war, was then still further impaired by the fact that they no longer had the civil government behind them. The sentiment of the people had already been expressed in the declaration of the Congress of 1774 concerning religion, and it was again emphasized in the first amendment to the Constitution: "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof." This amendment has been rightly regarded as reflecting the popular sentiment for disestablishment and the complete disassociation of civil and religious institutions. But it was more than that. Considering the prevalence of French atheistical thought at that time, it undoubtedly reflected a strong sentiment against religion in general and a desire of a considerable and influential part of the people not only to be free from its civil authority, but to keep entirely aloof from it.

Then, in 1796, came the revival in the West, so often compared with the famous "Great Awakening" which began about 1735 in Massachusetts and extended thence throughout New England and even to the Middle and Southern colonies.* This quickening of religious thought and feeling spread also through the East, culminating there in the opening year of the Nineteenth century. In the ensuing decade revivals were numerous and widespread, and as a result the Christianity of the country was strengthened, lifted from its low estate, enlarged in membership and influence, and advanced to a position from which it grew steadily for a century thereafter.

Many significant things, all arising from a broadening of religious impulses and activities, characterized this renaissance. For nearly 200 years, the American churches had led a self-centered existence. Each had been engaged mainly in the work of institutional foundation—in making a place for its own particular doctrine—and was concerned only with the interests of its own fold. Now that each stood secure and independent in the eyes of the law, the necessity for this narrow life was to a great degree removed. To be sure, proselyting went on and denominational interests continued to be cared for, but outside that there sprang up in the Christian communions a broader humanitarian-

* See Volume I., pp. 467-470 of this History.

ism than had before existed, which manifested itself in organized effort in various directions for both the spiritual and material betterment of the world, irrespective of denominational limitations.

In the first quarter of the Nineteenth century there was a considerable breaking up of the leading denominations into branches or sub-sects differing from the parent body in minor doctrinal points. Thus there came to be ten or more denominations that were in prime essentials Methodist or Baptist or Presbyterian. More radical was the instituting of Unitarianism and Universalism as offshoots of New England Congregationalism. But with all these divisions — to some extent perhaps as a result thereof — came a broader catholicity and broader denominational coöperation in many lines of Christian work. The Episcopal and the Catholic Churches developed on American lines, freeing themselves in large measure from foreign control or association in administration. The American spirit of liberty, of independent thought, and the American devotion to democratic ideals permeated and moulded religious as well as public life. Foreign and home missionary work was begun, educational interests were fostered, while charitable and religious work was started among the Indians of the West and the negroes of the South. Theological schools were opened in Harvard, Yale, Princeton, and other colleges, and the first independent

theological seminaries were established.

Before the middle of the century a decided change in some respects had set in. There was no less of spiritual fervor or of religious, benevolent and charitable activity; the humanitarian enterprises which had been started were still vigorously supported. But where before there had been union and coöperation there was now divergence and an intensified denominational alignment which led to much independent work and even to sectarian jealousies and animosities. The slavery question was looming large and in its pulpit discussion, North and South, were already overshadowed the church divisions which were to come in the next generation.

Undoubtedly the most notable religious activity of this period was the beginning and development of missionary work. The permanence and magnitude of these results stand out as the preëminent achievement of the Church in the first half of the century.

Almost from the beginning of colonization the missionary spirit of the pioneers was in evidence, nearly every charter impressing upon the settlers their duty to propagate the gospel among the Indians. Indeed one of the first books printed in the country was the Indian Bible from the Cambridge Press in Massachusetts in 1640. John Eliot and others devoted themselves to the christianizing of the Indians in the Seventeenth century* and the

* See Volume I., pp. 336-337 of this History.

work of the Jesuit priests in that direction makes an important chapter in early colonial history. In the Eighteenth century David Brainard and others labored in the same field.

As a result of the revival of religious fervor in 1800 and later, the long and dormant interest in missionary work came to life again. In 1789 the Missionary Society of Connecticut was organized "to christianize the heathen of North America," but little resulted from that enterprise. In 1810 the American Board of Commissioners for Foreign Missions was organized in Massachusetts, and in 1812 the first American missionaries to a foreign country (five in number) sailed for India. Then other churches came into the field of missionary labor—the Baptist in 1814, the Presbyterian in 1837, the Dutch Reformed in 1857 (the three last named having been united first with the American Board). In 1819 the Episcopal Church and in 1832 the Methodist entered upon foreign mission work. Other societies of this period of missionary enthusiasm were the American Bible Society (1816), the American Education Society (1815), the American Sunday School Union (1824), the American Tract Society

(1825), the Seaman's Friend Society (1826), and the American Home Missionary Society (1826). At the outset the contributions to the various foreign missionary societies were not large, but they soon increased. From 1840 to 1849 the annual average was more than \$500,000, and in 1850–1859 close to \$850,000.*

* Daniel Dorchester, *Christianity in the United States* (New York, 1888); J. B. McMaster, *History of the People of the United States* (7 vols., New York, 1883–1910); Henry M. Dexter, *The Congregationalism of the Last Three Hundred Years* (New York, 1880); W. B. Sprague, *Annals of the American Pulpit* (9 vols., Boston, 1857–69); Justin Winsor (ed.), *A Narrative and Critical History of America* (8 vols., Boston, 1884–89); H. K. Carroll, *The Religious Forces of the United States*, vol. i., in *American Church History* series (New York, 1893); F. L. Hawkes, *Contributions to the Ecclesiastical History of the United States of America* (2 vols., New York, 1836–39); A. A. Benton, *Church Cyclopædia* (Philadelphia, 1884); I. D. Rupp, *An Original History of the Religious Denominations in the United States* (Philadelphia, 1844); J. Macartney, *The Origin and Progress of the United States* (Philadelphia, 1847); J. T. Peck, *History of the Great Republic* (New York, 1868); Robert Baird, *Religion in America* (New York, 1856); Leonard W. Bacon, *A History of American Christianity*, vol. xiii., in *American Church History* series (New York, 1897). See also various State and local histories, the sectarian histories, and the year books of the various denominations. There are extensive bibliographies, each embracing several hundred titles, in Henry M. Dexter, *The Congregationalism of the Last Three Hundred Years* (New York, 1880), and S. M. Jackson, *American Church History* series (New York, 1897), appendix of vol. xiii.

CHAPTER III.

1789-1865.

AMERICAN LITERATURE.*

The two divisions of this period — Early political writers — Early religious writers — The first American man of letters — Classification of post-Irvingian writers — Orators and public speakers — Theological writers — Essayists and literary critics — Historians and biographers — Scientific writers — Journalists — Novelists and short-story writers — Humorists — Poets.

For convenience sake and to gain a clearer perspective, this period will be divided into two, with the epoch-marking Washington Irving as the dividing line. It is generally agreed that Irving was the father of American literature as truly as George Washington was of his country, and that before him no American writer had taken rank as a representative of literature undefiled. But while this is the common view, reflected from English opinion and justified by a hitherto unattained range of vision and charm of style, it must be admitted that "many brave men lived before Agamemnon;" that men like Franklin had attracted attention in England and on the Continent; and that some writers in the post-Irvingian period were hardly as worthy of the royal designation of *littérateurs* as a few in the twenty years succeeding 1789. Nevertheless the division is thoroughly logical.

As the year 1789 saw the adoption of the Federal Constitution, it was natural that the writings of the closing decade of the century should be mostly political. The Constitution had been finally adopted only by the most strenuous efforts, the unsettled state of the public mind being shown by the fact that ten amendments were added to the historic document within two years after its adoption. The chief arguments in favor of ratification of the Constitution by the States were presented in the series of papers known as *The Federalist* (1787-1788), whose contributors were Alexander Hamilton (1757-1804), John Jay (1745-1829), and James Madison (1751-1836). Of the 85 papers, Hamilton wrote 51, Madison 29, and Jay 5. Hamilton treated more particularly of the relations between the three departments of government (executive, legislative and judicial); Madison discussed the relation of the Federal government to the State governments; Jay's papers dealt exclusively with foreign relations. Hamilton left literary work, all of it political in pur-

* Prepared for this History by Marion M. Miller, formerly assistant professor of English, Princeton University; and Lee S. Pratt, formerly professor in Park and Knox colleges.

pose, filling nine octavo volumes; Madison wrote *An Examination of the Doctrines of National Law*, which is a classic treatise on the subject.

Thomas Jefferson (1743–1826) left letters during his residence in France that show very high literary merit, and a volume of notes on Virginia written for the enlightenment of the French government.

We have twelve volumes of the letters and documents of George Washington (1732–1799). Of his classic “Farewell Address”, it may be said underogatorily, as of Jefferson’s “Declaration of Independence,” that he was assisted by other hands in its preparation; but both these great documents accord so perfectly in spirit with the character of their accredited writers as to leave their glory entirely undimmed. It is indeed the transcending merit of these immortal productions that, like the “Lord’s Prayer” and the “Gettysburg Address,” they were the crystallization, a composite epitome, of the wisdom of the preceding ages. “All that Washington wrote,” says Moses Coit Tyler, “has the incommunicable worth of his powerful and noble character.”

Other public men, who, though leaving works of an enduring character, can only be mentioned here, are John Adams (1735–1826), John Quincy Adams (1767–1848), Fisher Ames (1758–1808), whose reputation for eloquence has become a National tradition; Albert Gallatin (1761–

1849), Hamilton’s successor as a sound financial writer; and Chief Justice John Marshall (1755–1835), who is best known to the literary world for his *Life of Washington*. All these and many others “showed, in their lives and books, that gracious culture upon which American literature was founded.”

Religion in the stern closing years of the Eighteenth century went hand in hand with patriotism — if, indeed, it did not lead it — but, from the nature of the case, it has left less of an imprint on literature than later, when the controversial element had taken a subordinate place. But there were two champions of the Edwards theology who deserve notice — Samuel Hopkins (1721–1803) and Timothy Dwight (1752–1817). The former published a two-volume treatise on theology in 1793, with the ponderous title of *The System of Doctrines Contained in Divine Revelation Explained and Defined*, which became a power in the religious life of New England. Twenty-five years later, it should be logically if not chronologically noted here, Timothy Dwight, the last of the Edwardsian theologians, published five volumes of 173 sermons on *Theology Explained and Defended* — an exegesis noted for being the final exhaustive treatise in the old-school Puritan style.

It was this Timothy Dwight who in 1785 had published an epic entitled *The Conquest of Canaan; a Poem, in Eleven Books*. It was dedicated to

Washington and was more imaginative than the prevalent theological tomes of the day, but its occasional merits were decorously stiff, as were those of "Greenfield Hill," an idyllic poem published by him in 1794. Philip Freneau (1752-1832), the "Poet of the Revolution," published a volume of verse in 1795 that contains a few true poetic flashes. His masterpiece, "The House of Night, a Vision," despite its didactic tone, is a distinct advance on previous poetry, and his "Wild Honeysuckle" is a refreshing little lyric that shows a genuine appreciation of Nature. But the times were not congenial to poetry, though a collection of poems of "Authors of Established Reputation" was published in 1794 under the pretentious title of *The Columbian Muse*. It was a rather dreamy little volume at best, in spite of its inclusion of the then renowned "Hasty Pudding" by Joel Barlow (1754-1812).

Of more popularity, though perhaps of quite as small merit, was the first American novel, *Wieland*, published in 1798 by Charles Brockden Brown (1771-1810). Its success was so stimulating that he wrote, in quick succession, *Ormond*, *Arthur Mervyn*, *Edgar Huntley*, *Clara Howard*, and *Jane Talbot*. He then (in 1801) broke away from the seductions of this lighter vein and started two magazines, which led precarious existences, and, as a climax to what had probably seemed a rather frivolous literary

career, he put out a number of political pamphlets.

Thomas Paine (1737-1809), whose famous pamphlet, *Common Sense*, had been a kind of *Uncle Tom's Cabin* of the Revolution, wrote *The Age of Reason* (1796), a book that has been variously estimated according to the point of view of its assailants or defenders, but which has undoubtedly detracted from and obscured the really great services Paine had rendered to his country in his earlier brilliant writings.

In American literature previous to the Nineteenth century Cotton Mather and Jonathan Edwards painted a grim Calvinistic but graphic background that was nevertheless necessary to bring out the Rembrandt-like character of a literature made up of strong lights and shades; and the statesmen, like Franklin, Adams, and Hamilton of the Revolutionary period, proclaimed new conceptions of liberty. All the writers of that virile epoch were undeviatingly earnest in purpose, dealing as they did almost entirely with the weighty problems of an untried government or with eternal verities. Stern and sombre these were, and so diametrically opposed to the Englishman's conception of what constituted literature as to give some point to the bitter taunt of Sidney Smith, who as late as 1818 asked, "Who ever reads an American book?"

The taunt had received an answer

even before it was flung, in the publication of *The History of New York by Diedrich Knickerbocker*. Its author, Washington Irving (1783-1859), was characterized by Thackeray as "the first ambassador whom the New World sent to the Old," and the History was the first book, it is generally agreed, to give credible evidence that the young Republic could produce "a prose writer of distinct charm." The book began in burlesque, which offended some of the doughty Dutchmen of New York, but which did not mar it in the eyes of Englishmen. There was another element in the favor which it immediately gained in England in that it resembled Fielding and Goldsmith in style and treatment. To Englishmen of a later period it appeared to forecast the *Pickwick Papers* of Dickens. Begun as a parody, it became a comic history of New York in which shrewd Yankee sense and fact and sportive nonsense of the most exuberant sort played hide and seek. Strange blossoms, these, to grow in Puritan shadows!

In 1819 appeared the *Sketch Book*, which contains Irving's best-known stories, "Rip Van Winkle" and "The Legend of Sleepy Hollow." Then came *Bracebridge Hall* and *Tales of a Traveller*. These, like Irving's first book, were full of a quaint humor and had a delicate, romantic sentiment clothed in rare purity and charm of style which, though new for America, was a constant reminder of the cool, balanced

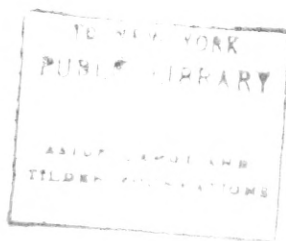
literary manner of Eighteenth century English. Irving had no stern, exalted message or mission, however, and felt no profound sense of the mighty seriousness of existence. His writings embodied only the first reaction sure to follow the Titanic struggles of the past century. In later years he produced a number of works in history and biography, which will be briefly alluded to under those headings. All of them preserved the artistic sense that made Irving's style peculiarly his own, but none of them, unless it be his *Life of Washington*, is so well known to modern readers as his earlier, immortal sketches.

For convenience, American literature of the period we are now about to consider — that is, roughly speaking, from 1810 to 1865 — will be classified by subject-matter rather than chronologically. This method is calculated to furnish under each division a clearer view of the unfolding of the different phases of our literary advancement, leaving it to the reader to devise his own correlation. These divisions are: Public Life and Oratory; Theology; Essays and Criticism; History and Biography; Science and Education; Journalism; Fiction; Humor; and Poetry. The field is so extensive that our limits will sometimes allow no more than passing mention of an author's name and his principal works. An attempt will be made, however, to give a clear and concise view of the service to American literature of its leading producers,



1. WASHINGTON IRVING.
3. JAMES FENIMORE COOPER.
5. JOHN HOWARD PAYNE.

2. JOHN P. KENNEDY.
4. HARRIET BEECHER STOWE.
6. EDGAR A. POE.



and at least to indicate how rich and varied is the heritage which American men of letters, in only a little more than the first half of the last century, have bequeathed to us.

Orators and Public Speakers.

It is true, as some writer has observed, that "in America as in Greece and Rome, the first really national impulse toward expression took the form of oratory." And the first group of orators in the anti-slavery period were found in the United States Senate, battling with the tremendous questions of human and State Rights.

John C. Calhoun (1782-1850), the "Nullificator," was one of the leading orators of the South, yet his speeches and writings are devoid of imagery and contain few or no passages of commanding eloquence such as abound in others soon to be mentioned. But his style is vigorous and concise, and he must be classed as a political thinker of high rank.

Henry Clay (1777-1852), the "Compromiser," was also a Southern orator, but of a far different type. His wonderfully persuasive oratory is a fond tradition, but, while it broadly appealed to the sense of justice and patriotism in his hearers, its thought was vitiated by the temper of the time, being plausible rather than profound. Owing to the undeveloped taste of the frontier people among whom Clay began his career, his rhetoric was brilliant and dull by turns. His gems of

oratory are flashing phrases rather than sustained periods. His impassioned expressions, "I know no North, no South, no East, no West" and "I would rather be right than be President," are classics in political parlance.

Thomas H. Benton (1782-1858) was an orator of convincing eloquence and moderation, whose chief work will be alluded to under "Historians"; and Robert Y. Hayne (1791-1839), though of a fiery eloquence, bold and powerful, is mentioned chiefly because he furnished the occasion for Webster's greatest oration.

It is probably true that the oratory of Daniel Webster (1782-1852) owed much to his imposing personality and wonderful voice, but it is equally true that he is by common consent the greatest of American orators—our Demosthenes and our Burke. A tendency to pose, "a manner deliberately adopted," and a style orotund, weighty, profound—in a word, "Websterian"; but this, as Richardson well remarks, "denotes the possession of qualities solid, substantial, imposing." He was the great Nationalist, who did much to secure for us "Liberty and Union, now and forever, one and inseparable." His greatest speeches were on the occasion of the second centennial of the landing of the Pilgrims (1820); at the laying of the cornerstone of Bunker Hill Monument (1825); on Adams and Jefferson (1826); the Dartmouth College case (1817); the White murder case

(1830); the reply to Hayne (1830) opposing the "Doctrine of Nullification;" and on the Constitution and the Union (1850).

Edward Everett (1794-1865) and Rufus Choate (1799-1859) belong to a group less devoted to politics, and are known mainly, the former as a polished lecturer and the latter as the leading advocate at the New England bar. They were both masters of rhetoric which, in Everett's case, Emerson said he had "never seen rivalled in this country;" but Choate's orations and writings had more genuine literary quality.

After this come the great anti-slavery orators, of whom the first is William Lloyd Garrison (1805-1879). He wrote as well as spoke, *The Liberator* (of which more later) being his usual mouthpiece. His purpose carries us back to the Puritans, for he wrote not to make literature, but to enforce definite principles. "I will be as harsh as truth and as uncompromising as justice. I am in earnest; I will not equivocate; I will not excuse; I will not retract a single inch; and I will be heard." A different side of Garrison's character, and one that is quite unexpected, is found in his authorship of a little volume of *Sonnets and Other Poems*, published in 1817, which exhibits much beauty and depth of feeling.

Another anti-slavery orator was Wendell Phillips (1811-1884), who, the reverse of Garrison, performed his services to the cause more by

oratory than by writing, and who, when the slavery question was settled, continued to speak on various reforms — and always gracefully and fittingly, in a simple, direct but impassioned style all his own. As an example of invective, his fiery anti-slavery speech delivered in Faneuil Hall in 1837 has rarely if ever been excelled in America. On the other hand, one of the most popular, urbane, cultured platform lectures ever delivered was that on "The Lost Arts."

The fifteen volumes of the lectures and speeches of Charles Sumner (1811-1874) contain nothing finer in the way of public utterances during the troubled 50's than his speech on the Kansas-Nebraska Bill (1854) and the one entitled "The Crime against Kansas" (1856). Though it has been wittily said of him that he "always seemed to be surveying a broad landscape of his own convictions," he was a man of extensive knowledge and of intense moral earnestness.

Although Henry Ward Beecher (1813-1887) will be referred to again in another connection under "Theological Writers", it is doubtful whether his services as a churchman, great as they were, equalled those to his country as an orator; for his addresses in England during the dark days of the Civil War exerted a powerful influence in preventing England's recognition of the Confederacy.

William H. Seward (1801-1872) was a public man of this period and should be mentioned in this category

as one whose orations and speeches are of more than ordinary merit. His *Diplomatic History of the Civil War*, being the record of an insider, is a valuable contribution to war literature.

Of Abraham Lincoln (1809–1865) as an orator, the last of the great anti-slavery group, it is unnecessary to speak at length. The Lincoln-Douglas debates, the Cooper Institute speech, the Gettysburg oration, and the Second Inaugural need no comment beyond the simple mention of their titles and the reminder that the general consensus of mankind is that neither England nor America has furnished more perfect English or purer literature than are contained in the two last-named orations.

Theological Writers.

From the coming of the Mayflower till after the Revolution, New England had voiced the stern views of the Puritans, whose teachings were that man's nature is utterly corrupt and whose maxim was stoical repression — repression of most human instincts and natural desires. "How mournfully the human mind may misrepresent the Deity," wrote William Ellery Channing (1780–1842) in 1809. This period was a renaissance in religion as well as in literature, and it was to Channing and his successors that we owe, in part, the incorporation into the new literature of a gentler view of religious truth. To be sure, Channing founded a new denomination which

has had, numerically, only a local habitat, and his teachings led logically to a new philosophy, which, while it exercised tremendous influence on American literature, has had no preëminent prophets after Emerson; but the birth of the spirit of emancipation which Channing proclaimed has pervaded all creeds and all denominations. All his addresses and writings, collected in six volumes, are a reassertion of the dignity and uses of the beautiful arts in contradistinction to the traditional prejudices of the Puritans against the ornamental side of life. But there are no subsequent preachers in the denomination that Channing established who have contributed much of value to general literature, unless we except James Freeman Clarke (1810–1888), whose best-known work, however, *Ten Great Religions*, was published after 1865.

But in the "orthodox" succession are many notable teachers and preachers whose sermons, lectures, addresses and books have had the most profound and lasting influence for good in morals, reforms and religious beliefs. To mention but a few names: Samuel Worcester (1801–1866); Mark Hopkins (1802–1887); Lyman Beecher (1775–1863); Charles Hodge (1797–1878), of Princeton Seminary; William G. T. Shedd (1820–1894), of Andover and Union seminaries; Philip Schaff (1819–1893), of Union Seminary; Henry Ward Beecher (1813–1887); and Horace Bushnell (1802–1876). All these

and many others enriched religious thought as well as current literature, but probably no single individual to the extent Channing had done. Of the names given, perhaps Philip Schaff has contributed the largest number of works of erudition, the *History of the Christian Church* and others of his writings being accepted as standards in their field. Probably Beecher's sermons and *Star Papers* have had the widest reading, while the sermons and writings of Horace Bushnell have been considered models of cogent reasoning and literary style.

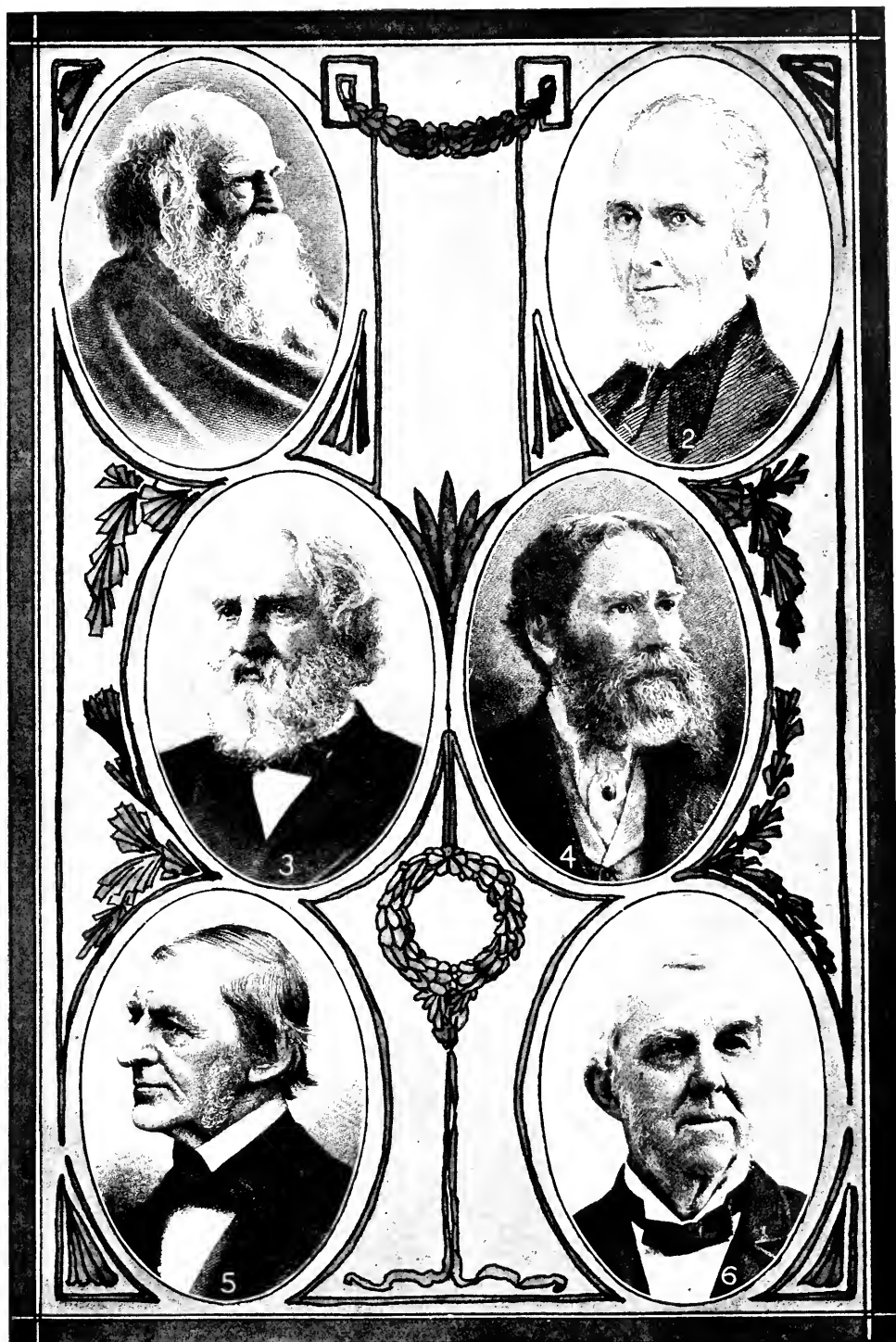
Essayists and Literary Critics.

The overshadowing name here is that of Ralph Waldo Emerson (1803-1882). Our view of Channing has enabled us to discover that of Emerson in close following, although the latter had begun to write before Channing's famous sermon at Baltimore in 1839 on the text, "Prove all things; hold fast that which is good," had been recognized as the fountain from which the transcendentalism of Emerson had drawn its greatest inspiration. "Transcendentalism" or idealism, a philosophic idea of German extraction was, in the alchemy of Emerson, a protest against tradition and "stiffening theology," as he put it. "We must start in religion from our souls, and follow, as transcendental forms, the intuitions of the mind itself and not the ideas that come through the experience of the senses." He regarded his views, which he never at-

tempted to formulate into a systematic, concrete form, as "a crusade for spontaneous expression in every possible form of that individual human nature which his predecessors had thought deserving of confinement and rebuke."

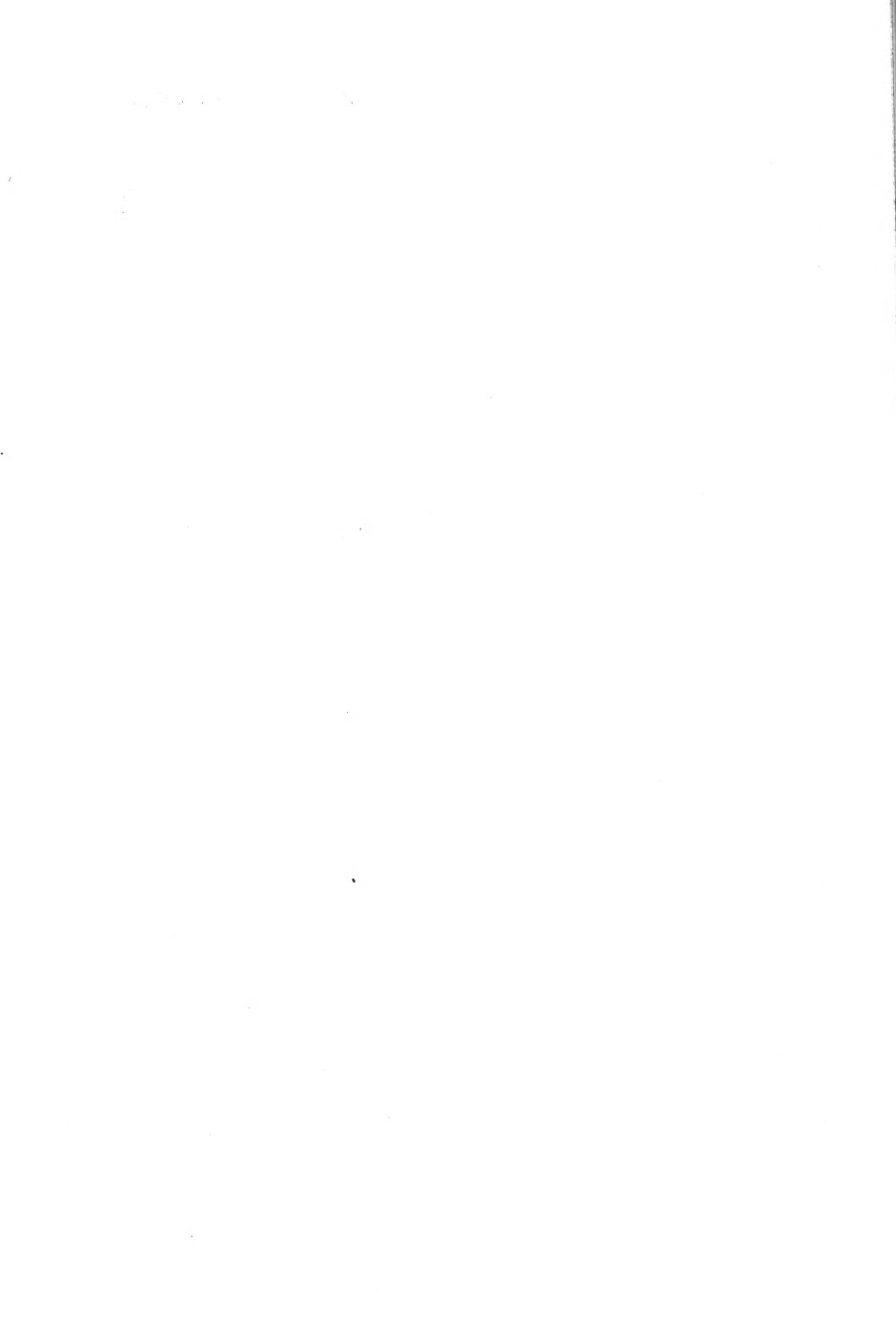
Emerson's sermon on the Lord's Supper (for he began as a minister in the pulpit of Cotton Mather) first attracted attention to him as a "heretic." This was in 1832 and was the cause of his leaving the ministry. Four years later, *Nature*, his first volume of essays was published. These essays came as near to a definite formulation of his views as he ever presented. Other prose works were: *Essays* (1841) and another collection bearing the same title (1844); *Representative Men* (1850); *English Traits* (1856); *Conduct of Life* (1860); *Society and Solitude* (1870); and others later, especially *Letters and Social Aims* (1875). There were also collections of poems, to be referred to later.

It is difficult even to mention the name of Emerson in such a limited synopsis of American literature as this without unduly expanding comment to proportions unfair to other writers. For Emerson is probably the most eminent figure in all the literary history of America. "He cut the cable," said Lowell, "that bound us to English thought." It was his happy fortune to emerge at a period when it was becoming clear that statecraft and theology were not the only



1. WILLIAM CULLEN BRYANT.
3. HENRY WADSWORTH LONGFELLOW.
5. RALPH WALDO EMERSON.

2. JOHN GREENLEAF WHITTIER.
4. JAMES RUSSELL LOWELL.
6. OLIVER WENDELL HOLMES.



appeal to reason, for philosophy and *belles lettres* were opening their doors invitingly and charmingly. "A good old inbred Yankee preacher," he has been called, shrewd, canny, and with an abiding sanity underlying the kaleidoscopic—sometimes dazzling—flashes of a new philosophic unfolding. His essays are puzzlingly unmethodical in form—but a sincere purpose underlies them all and blends them into a composite whole, of surpassing literary and philosophic beauty.

There were two other essayists in the "Concord group" that should be noticed. First, A. Bronson Alcott (1799–1888), not because he is first in importance, but because he can be dismissed with briefer notice. A man of unusually active mind, possessing more than his share of self esteem, visionary, and with a "pristine innocence of the good sense" that was one of Emerson's chief distinctions, he was nevertheless honest, sincere and, in a very unpractical way, philosophical. He wrote a variety of works, from *Conversations to Scriptures*; but his chief contributions to contemporary thought were the "Orphic Sayings" which *The Dial*, the organ of the Transcendentalists, was deluged with. These "awful sayings", as they were profanely parodied by irreverent critics, called forth the caustic comment that "there is reason to doubt whether Alcott ever knew what some of them meant; certainly no one else ever did."

Of different fibre, and yet with his modicum of eccentricity, was Henry D. Thoreau (1817–1862), the "poet-naturalist" and mystic, characterized by Emerson as "a perfect piece of stoicism," and yet who, according to Whipple, "penetrated nearer to the physical heart of nature than any other American author." He lived afieled most of the time and as "far from the haunts of men" as possible—not that he was misanthropic, but that he might give his time to "high thinking" on the eternities as interpreted by an unusually keen and sympathetic observation of Nature. It was a New England Nature, of course, but the literary art with which he interpreted it, as well as his philosophic cast, reminds one of the Wordsworth genius. His writings, comprising ten volumes, have for the most part been published posthumously. His first book was *A Week on the Concord and Merrimac Rivers* (1849), but his best-known work is *Walden* (1854). Others include *Maine Woods*, *Cape Cod*, *Excursions*, *A Yankee in Canada*, *Early Spring in Massachusetts*, *Poems of Nature*, and two volumes of *Letters*.

Of other essayists and critics only a very few can here be mentioned. W. E. Channing, already referred to, with his brothers and sons, especially William E., Jr., and nephew, produced excellent literature in this as well as other departments. Donald G. Mitchell (1822–1908), at a later period wrote many other books than the favorite *Reveries of a Bachelor* (1850)

and *Dream Life* (1852), which are hardly essays — certainly not critical — but rather, as they purport to be, dreamy reflections on life. *The Letters to Young People* by “Timothy Titecomb” (1858) were among the earliest and most useful books of J. A. Holland (1819–1881), but his poems — especially “Bittersweet” (1858) and “Kathrina” (1867) — the *Life of Lincoln* (1865), and his later novels found a wider contemporary audience. The last two and all the others yet to be referred to as essayists lap over, in part of their work, from the present period into the succeeding one; but much of their best work, save perhaps Lowell’s, lies in this field and was done before 1865.

For instance, Edwin P. Whipple (1819–1886), a discriminating critic and most conscientious scholar, especially in Elizabethan literature, gained wide distinction by his earliest writings, *Essays and Reviews* (1848) and *Literature and Life* (1849).

In 1848 Henry N. Hudson (1814–1886) collected the *Lectures on Shakespeare* that made his reputation as a Shakespearean scholar, his literary abilities and historical insight being strikingly similar in this regard to Richard Grant White (1822–1885), whose *Shakespeare’s Scholar* appeared in 1854, his scholarly and popular edition of *Shakespeare’s Works*, from 1857 to 1863, and his *Memoir of William Shakespeare* in 1865.

From the earliest prose work of

James Russell Lowell (1819–1891), *Conversations on Some of the Old Poets* (1845), down through the long list of literary, satirical, and biographical lectures, articles and books, a mixture of pendency and Yankee whimsicality, of serious literary criticism and humorous studies of human nature was presented in a style sometimes unduly involved and tangled in allusions, but withal rich, exuberant and altogether charming. Of Lowell’s poetry we shall say a word elsewhere.

The quaint reflections of Oliver Wendell Holmes (1809–1894), “the sunlight of American literature,” as Frank L. Stanton characterized him, places *The Autocrat of the Breakfast Table* (1858), *The Professor at the Breakfast Table* (1860), and *The Poet at the Breakfast Table* (1872) somewhere between the drama and the essay. These works are “the quintessence of humor, scholarship, and satire gathered from a genial observation and ripe experience.” But Holmes wrote also poetry and novels, and so will be met with again in these connections.

Historians and Biographers.

There is a modern tendency to regard history as science rather than as literature, but history has had at least as large a share in the making of American literature as has any other field of study. Nearly all the earlier historical writers were men of affairs, participants in as well as recorders of the deeds described; but

in the period now under consideration a succession of brilliant men of high culture devoted themselves to exhaustive, if sometimes academic, research in historical fields, and gave to the world the results of their investigations in a pure English style that often attained classic standards.

There was a compelling fascination in the olden splendors of Spain for several of our historians, but to none did these past glories make a more romantic appeal than to Washington Irving. At intervals from 1825 to 1850 appeared his biographico-historical pictures of Spanish and Moorish events, described with a fantastic play of humor and touched with warm oriental coloring, comprising his works on *Columbus*, the *Conquest of Granada*, the *Alhambra*, the *Conquest of Spain*, and *Mahomet and His Successors*. His biographies of Goldsmith and of Washington have the charm and vivid imagination of all his other works; but while they cause his subjects to stand out as at least living human beings, they lack the critical qualities which now make history more nearly an exact science.

In this respect Jared Sparks (1789-1866), who is known also as a writer of controversial books, somewhat surpassed Irving. His methods of careful research, though below the present standards, were new in America at that time, for he ransacked papers and records in the Old World and the New in the preparation of *The Life and Writings of George Washington* and

The Life of Benjamin Franklin. This biography of Washington preceded Irving's, by the way, by twenty years, and was proportionally nearer to the living personality; but Irving preserved for us a more flesh-and-blood Washington than the severely critical earlier biographer could laboriously chisel out. Sparks' great work, *Diplomatic Correspondence of the American Revolution*, is still consulted as an indispensable contribution to Revolutionary lore. He gave us also a valuable *Library of American Biography*. James Parton (1822-1891) was a voluminous writer of biography, of which the best was his *Life of Voltaire*. Other notable biographies are Emerson's *Thoreau* and *Margaret Fuller*; Holmes' *Motley and Emerson*; Ticknor's *Prescott*; and Prescott's *Brockden Brown*.

The attraction of the romantic European past for American historians has just been alluded to. It seems that, like Gibbon, these writers were at their best when dealing with matters remote. This cannot, however, be asserted without qualification of George Ticknor (1791-1871), as far as the intrinsic value of his *History of Spanish Literature* (1849) is concerned, for, though authoritative, it is cold and lifeless in style; but he must, nevertheless, be gratefully remembered for the inspiration he brought to William H. Prescott (1796-1859) and John Lothrop Motley (1814-1877). Prescott wrote *The Conquest of Mexico* (1843) and *The Conquest of*

Peru (1847), while his *Life of Philip the Second* was left incomplete by his death. The style of these histories is perhaps rather florid, but the events are accurately and faithfully portrayed and are the result of years of patient study. In 1857 was published Prescott's *Life of Charles V. after his Abdication*. Motley, "twin historian with Prescott," gave us *The Rise of the Dutch Republic* (1856), *History of the United Netherlands* (1860-1868), and *The Life and Death of John of Barneveld* (1874). His writings are remarkable for their color and dramatic vigor, their picturesqueness reminding us of Carlyle. He could hardly be called a dispassionate historian, for his Spaniards, for instance, are "always painted black and the Netherlands white," and he was perhaps too thoroughly saturated with the American's insistence on political liberty to treat with entire impartiality any nation not entertaining the same views. Yet he is far removed from blind partisanship, while his works show untiring research and are celebrated for their clear presentation of facts.

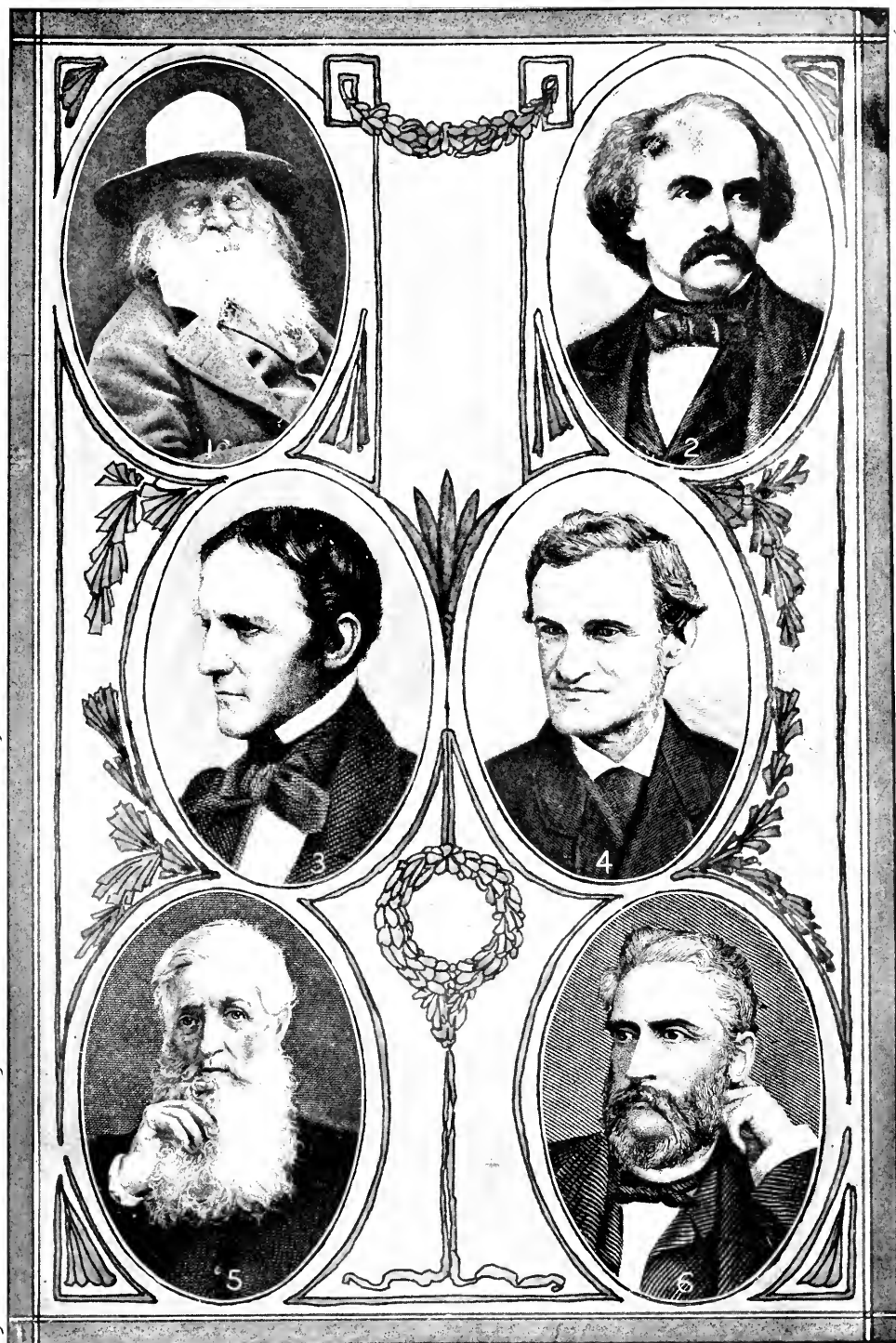
But America has not lacked annalists to recount her own deeds, at least two of whom are classed among the leading names in our literature. Yet in passing to them one must not overlook Thomas H. Benton (already mentioned), whose *Thirty Years' View: a History of the Workings of Congress from 1820 to 1850* (1855) Bryant fulsomely praised as "one of

the greatest works in American literature;" or Richard Hildreth (1807-1865), whose *History of the United States from Columbus to 1820* (1852) had little imaginative power or charm of style, yet presented with considerable merit the Federalist point of view.

On the other hand, George Bancroft (1800-1891), the greatest exponent of the Democratic view, published the first volume of his massive *History of the United States* in 1834, the last of the twelve tomes coming out fifty years later. His style is often stiff, labored and heavy, yet is frequently attractive and, where not over-ornamented, is often dramatic. As an authority on the three centuries of American History from Columbus to the adoption of the Constitution, Bancroft is likely to remain the standard.

By many considered the greatest of all American historians, Francis Parkman (1823-1893) wrote the historical series *France and England in North America*. He was the most imaginative of our historians, as befitted a student of the native American races and the gallant efforts of France to retain her hold on this continent; but philosophic withal, impartially judicial, and a mature, careful and conscientious scholar.

Although their literary standing hardly merits inclusion here, yet the pleasant and readable histories of Jacob Abbott (1803-1879), and his brother, John S. C. Abbott (1805-1877) have performed a distinct ser-



1. WALT WHITMAN.
3. WILLIAM H. PRESCOTT.
5. GEORGE BANCROFT.

2. NATHANIEL HAWTHORNE.
4. FRANCIS PARKMAN.
6. JOHN LOTHROP MOTLEY.

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vice in popularizing historical subjects. Lincoln once said that he had derived from "the Abbotts' books" all the history he knew.

It is interesting to note how the historians relieved the tedium of their weightier studies by excursions into lighter literature. Hildreth gave us a delightful book, *Japan*, and a novel. Novels beguiled also Prescott and Parkman, the latter adding his intensely interesting story of the days of '49, *California and the Oregon Trail*. Even the ponderous Bancroft left us a volume of poems, translated from the German.

Scientific Writers.

Even in the earlier part of the Nineteenth century science had contributed not only to the store of human knowledge, but to the "humanities" as well. It is almost invidious to mention a few names to the exclusion of many others equally as high in attainments as well as in the glory they have added to American literature, but a short list must be given.

In medicine, Benjamin Rush (1745-1813) and Samuel L. Mitchell (1764-1831), "the New York Oliver Wendell Holmes." In law, James Kent (1763-1847), whose *Commentaries on American Law* are recognized the world over as a work of the highest authority, with Henry Wheaton (1785-1848) and Theodore D. Woolsey (1801-1889), scarcely less famous in the department of international law.

Of lexicographers and philologists America has had no lack. Noah Webster (1758-1843), Joseph E. Worcester (1784-1865), and George P. Marsh (1801-1882) were voluminously productive English scholars; while in Greek language-studies there have been no abler interpreters than E. A. Sophocles (1807-1883) and James Hadley (1821-1872).

Mathematics and astronomy have had their Nathaniel Bowditch (1773-1838), whose translation of Laplace's *Mécanique céleste*, with an extensive commentary of his own, excited the admiration of European scholars; and Elias Loomis (1811-1889).

In the science of ethnology, especially as it pertains to the Indians of North America, we have had Benjamin S. Barton (1766-1815) and Henry R. Schoolcraft (1793-1864).

In botany two names stand out—those of John Torrey (1796-1893), with his great *Flora of the Northern and Middle States*, and Asa Gray (1810-1888), who carried botanizing as far as the Pacific coast even in the early 50's.

It is perhaps in ornithology that American writers have best succeeded in producing a literary style quite as remarkable as their scientific triumphs. This was especially true of Alexander Wilson (1766-1813), the "Father of American Ornithology." A genuine sensation was produced when, from 1830 to 1838, John J. Audubon (1780-1851) published his

five-volumes of plates of *Birds of America*, to which the text was afterwards added. Thomas M. Brewer (1821–1880), though not so well known, made himself a worthy member of the triumvirate of American chroniclers of bird-life through his *History of North American Birds*.

In chemistry is the great name of Benjamin Silliman (1779–1864); in physical geography, that of Arnold H. Guyot (1807–1884); in geology, the twin stars Edward Hitchcock (1793–1864) and James D. Dana (1813–1895); and in natural history we have the commanding figure of Louis Agassiz (1807–1873), the great teacher, who “had no time to make money,” but who found time to write four wonderful volumes of a ten-volume *Natural History of the United States*.

Journalists.

There never has been a writer of any note in American literature since 1800 who did not contribute to the newspapers or periodicals of his day — indeed few who did not begin their literary career through these convenient mediums. So closely are the newspaper and magazine connected with the growth of literature that some attempt must be made to enumerate a few of the publications which, previous to 1865, had the greatest influence on literary history.

Of newspapers in New York, the *Evening Post* claimed the services of William Cullen Bryant (1794–1878) as early in 1826, and he remained its

editor until his death. In 1841 Horace Greeley (1811–1872) founded the *New York Tribune* and gathered about him a coterie of writers who afterwards themselves became editors or took a prominent place in literature — Henry J. Raymond (1820–1869), who founded the *New York Times* in 1851; Charles A. Dana (1819–1897), who went to the *New York Sun* in 1868; Margaret Fuller (1810–1850) and George William Curtis (1824–1892), who became editors of *The Dial* and *Harper's Weekly* and *Harper's Magazine*, respectively. There were also George Ripley (1802–1880), who was for many years the leading literary critic of the *Tribune*, and James Bayard Taylor (1825–1878), whose interesting letters of travel were long a popular feature of that newspaper.

Periodical literature as we now know it in America dates from the founding of the *North America Review* in 1815 by Richard Henry Dana (1787–1879) and others. The idea of an American review, however, probably had its inception in *The Anthology Magazine*, published for several years prior to 1811 by Joseph Emerson, Ralph Waldo's father. The later magazine was built on the lines of the English reviews, and has gone on in its scholarly and dignified way ever since, “ponderously revolving through space,” as some one has wittily described it. In the early 30's the *Evening Mirror* and the *Knickerbocker* gave expression to the mild

but industrious writers of the "Knickerbocker Group," of which Nathaniel P. Willis (1806-1867), who later started the *Youth's Companion* in Boston, was the leading spirit. His letters from Europe enjoyed an ephemeral popularity, as did also his rather sentimental poems; but his style has been described as "a provoking kind of jaunty triviality."

The anti-slavery movement was heralded by Garrison's *Liberator*, which lived until 1866, when the occasion for its existence had passed. In Philadelphia, about 1840, *Godey's Lady's Book* and *Graham's Magazine* made their appearance, Poe's editorship for a time being one of the claims to distinction made by the latter.

Then came the philosophic period in Boston that saw the birth of *The Dial*, the organ of the Transcendentalists. This is a kind of waymark in the history of American literature, although Emerson protested to its editor, Margaret Fuller, that the magazine must not be "too purely literary." Of Margaret Fuller Ossoli (1810-1850) it may be remarked in passing, that we know more through her biographers—Emerson, James Freeman Clarke and Higginson—than by her own books, though she wrote in 1845 *Woman in the Nineteenth Century* and made some excellent translations from the German. *The Dial* lived four years and was followed by *The Harbinger*, a Brook Farm organ, which had a still briefer existence. In 1850 the predecessors

of the modern magazine came upon the stage—*Harper's Magazine* in 1850 and *Harper's Weekly* and *The Atlantic Monthly* in 1857. The last, at its inception, set a high standard for literary quality, which has been consistently maintained.

In the South periodical literature "found itself" as early as 1828, with the founding of the *Southern Review* at Charleston. The *Southern Literary Messenger*, of which Poe was editor for five years, was a Richmond publication dating from 1835; and the *Southern Quarterly Review* was launched at Charleston in 1848, William G. Simms (1806-1870) being its editor for several years.

Novelists and Short-Story Writers.

Fiction, or the delineation of life in story form, is one of the highest provinces of literature. It is that in which many of the greatest literary masters have chosen to express themselves, whether in "the ideal romance, bursting the bonds of space and time, or the simple, unadorned tale of actual sayings and doings." Possibly it is true that there are not so many commanding names of writers of fiction in American as in English literature—we have probably been too busy living life in a period including three wars (one of them the greatest in the world's history) adequately to depict in story form the emotions and springs of action underlying our strenuous existence. But the materials were at hand, and many of the writers of fic-

tion, travel and humor who chose to use these materials, have produced immortal books.

The "first novel" — Brockden Brown's *Wieland* — has already been alluded to and the marvelous Irving's *Tales of a Traveler* soon followed, which, while not a novel, was none the less an artistic "story." His collaborator in the *Salmagundi Papers*, James K. Paulding (1779–1860), contributed *Westward Ho!*, the "whim-whams" of a second series of *Salmagundi* all his own, and several novels, the best of which, *The Dutchman's Fireside*, is not yet entirely forgotten. He exhibited something of Irving's glee, but lacked his grace and charm, though an evident imitator — even going so far as to emulate him in writing a *Life of Washington*. Paulding is probably best known as the originator of "Brother Jonathan." Nor must we forget, as belonging to this period, David Crockett (1786–1836) and his exciting tales of adventure, especially in his autobiography.

In a place all his own stands James Fenimore Cooper (1789–1851), who has been called "The American Scott." The parallel holds good so far as their romanticism is concerned, but the scenes and characters of these two authors could hardly be more unlike. Cooper excelled in description and in depiction of individual character — "Natty Bumppo" being the first real American in fiction. He wrote too much, however — 90 vol-

umes, of which 33 were sea tales and stories of Indian life. His first novel *Precaution*, a tale of English life, attracted no attention. Cooper had not yet found himself. But *The Spy* (1821), his first story dealing with native scenes, won instant renown. Others followed in rapid succession — *The Pioneers* (1823), *The Pilot* (1823), his masterpiece, *The Last of the Mohicans* (1826), and others in bewildering array down to *The Deerslayer* (1841) and *Afloat and Ashore* (1844). Cooper is "America's novelist of action," greater than Irving in vigor and breadth of outlook, with a mind remarkably fertile in planning and elaborating plots of adventure.

Other novelists of the school of Cooper were John P. Kennedy (1795–1870), who wrote *Horse-Shoe Robinson* (1835) and other novels of Colonial and Revolutionary times; Robert Montgomery Bird (1803–1854), whose *Nick of the Woods* (1837) was one of the most popular novels of his day; Daniel P. Thompson (1795–1868), author of *The Green Mountain Boys* and other novels dealing with New England pioneer life; and a novel of Charles Fenno Hoffman (1806–1884) should be noticed, *Grayslaer* (1840), which gives a graphic portrayal of the Mohawk chief, Joseph Brant.

In the South *Guy Rivers* (1834), by William G. Simms was the first of a series of border romances in which the influence of Cooper was clearly visible. Simms is, next to Poe, the

most representative and most talented among the writers of the South previous to the Civil War. He, too, wrote too much for his own literary reputation—87 volumes dealing with romance, poetry, history, biography, politics, the drama, criticism, etc. His novels, though widely read in their day, especially in the South, were defective in technical construction.

Coming North again, *Margaret* (1845), a transcendental romance by Sylvester Judd (1813–1853), is crude and uninteresting in style, but won praise from Lowell as being “the first Yankee book with the soul of ‘Down East’ in it.” Lydia Maria Child (1802–1880) had already begun her public career by the publication of two historical novels; and Susan Warner (1819–1885) later (in 1850) gave to the lovers of sentimental fiction perhaps one of the most widely read novels that ever set womankind to weeping—the tearful and priggish *Wide Wide World*.

The fiction of adventure is represented at its best in the novels of Herman Melville (1819–1891), whose brilliant style adorned the narratives of his own experiences on land and sea in *Typee* (1846), *Omoo* (1847), and *Moby Dick* (1851). Previous to this, Richard Henry Dana, Jr. (1815–1882) became more famous than his poetical father had been, through what Dickens pronounced “about the best sea book in the English tongue”—*Two Years before the Mast*.

But there are two overshadowing names in the literature of romance that, with Cooper, stand far above the rest—Poe and Hawthorne. Edgar Allan Poe (1809–1849) secured a competitive prize of \$100 for his first romantic tale, “*Ms. Found in a Bottle*,” (1833), which with his longest piece of fiction, *The Narrative of Arthur Gordon Pym*, and several other stories (some on the order that Jules Verne afterward found so effective) constitute one of the three groups into which his stories may be divided. In the first of these—narratives of romantic adventure—his weird imaginative power is often exhibited in vivid pictures which are gruesome and morbid enough, but are realistic, poetical, and interspersed with descriptions of great beauty. The second group comprises the analytical stories, or “tales of ratiocination” (as Poe called them)—“*The Gold Bug*” (another prize winner and the most popular of all his tales), “*The Murders of the Rue Morgue*,” “*The Purloined Letter*,” and others. The presentation of a mystery is always fascinating, and the dominion over his readers which Poe, a born detective, exercised was nowhere more complete than in these tales. A third group is that having conscience for the theme, as in some of Hawthorne’s novels, though the conscience analyzed by the latter was spiritual, while Poe invokes the material forces of Nature and superstition, in this suggesting De Quincey.

The best of this group is "William Wilson," the story of a man with a double (perhaps suggesting to Stevenson *Dr. Jekyll and Mr. Hyde*), "The Black Cat," "Thou art the Man," the dismal but remarkable fantasy, "The Fall of the House of Usher," a masterpiece of literary art, and "Ligeia," a fantasy of transmigration, and others, all "making one's flesh creep" as he reads — an effect fully intended. Poe wrote some 70 tales in all and many poems, the latter to be spoken of in the last section.

Nathaniel Hawthorne (1804–1864), "the master of faultless English," is the most prominent figure in the field of American romance. His first venture was *Fanshawe* (1828), a product of his early years but so crude that he himself suppressed it (to be republished, however, after his death). The first series of *Twice-Told Tales* appeared in 1837, and the second in 1842; in 1846 came *Mosses from an Old Manse*; in 1850, *The Scarlet Letter*, "the strongest work of fiction produced in America;" in 1851, *The House of Seven Gables*; in 1852 and 1853, *The Blithedale Romance*, a story of Brook Farm, in which appears "the greatest of his creations" "Zenobia"; the third series of *Twice-Told Tales* and his most delightful stories for children, *Wonder Book for Boys and Girls* (1851) and *Tanglewood Tales* (1853); in 1860, *The Marble Faun* and, in 1863, *Our Old Home*. There were several

posthumous publications, the principal of which were the *Note-Books* (American, English, French and Italian) consisting of notes to be used in the composition of future books — books, however, which none but Hawthorne could possibly write.

Hawthorne had mastered the storyteller's art and had a rare gift of insight into the human heart. He was fascinated especially by the "psychology of sin," as *The Scarlet Letter* with its sombre background of Puritan bigotry and persecution, and *The Marble Faun*, with its sweet-souled, self-tortured "Hilda" indicate. Hawthorne's wonderful imagination — fantastic though grotesque, subtle and shy — with his own "tendency to aloofness," always expressed itself in a style most delicate and fascinating.

But the book that "stirred the world and was instrumental in bringing on a civil war and freeing an enslaved race," though technically deficient in literary conception and art, may be called the most successful book in American literature. Mrs. Harriet Beecher Stowe (1812–1896) found the year 1852, when the anti-slavery discussion was reaching fever heat, to be the "psychological moment" for projecting *Uncle Tom's Cabin* into the arena. In five years it reached a circulation of half a million copies; it has been translated into forty languages, and even to-day, as a drama, has a drawing power equalled by few other plays. Written breathlessly and at white heat, with

only a moral purpose in view rather than carefulness to avoid the melodramatic, the spirit was nevertheless so lofty and its aim so vitally and tremendously earnest that its appeal to human sympathy and heroic action was irresistible. Mrs. Stowe's later novels and stories, which lack the inspiration of a great crisis, among them *The Minister's Wooing* (1859), and *Oldtown Folks* (1869), are quiet and rather colorless studies of New England life and character.

James Bayard Taylor (1825-1878) labored in many fields, but was best known for his letters of travel already noted. These had been for the most part completed when, in 1863, he produced his first novel, *Hannah Thurston*, and the next year his second, *John Godfrey's Fortunes*, which is semi-autobiographical. *The Story of Kennett* (1866), a historical romance, is his most successful work of fiction. Then follow several volumes of verse of a mediocre order and lacking the inspirational touch that poetry must have to be enduring. His single great literary achievement is a translation of Goethe's *Faust* (1871), which for high excellence of execution ranks with—some critics say surpasses—Bryant's *Homer* and Longfellow's *Dante*.

Humorists.

The quality of humor has deliciously brightened the pages of American literature in this period, from the homely wit of Franklin and the quaintly mirthful glee of Irving to the

Yankee whimsicalities and the genial quips of Lowell and Holmes and the scores of minor writers whose native jocularity has bubbled forth spontaneously. That American humor penetrated even to other shores and there touched a responsive chord is one of the best proofs of its genuineness.*

But there were many who, not being content with incidental merriment made humor their serious business—which is not so much an Irish bull as may appear, at least in the case of "Artemus Ward." Uncommonly odd specimens were the wine merchants of New York City, Frederick S. Cozzens (1818-1869), whose now-forgotten *Sparrowgrass Papers* (1856) aroused much mild mirth, and George H. Derby (1823-1861), who, under the name of "John Phoenix," contributed to the gayety of nations in the same and previous years by his *Phoenixiana* and *The Squibob Papers*. These satirized California life as Cozzens had Eastern foibles, but were too extravagant and overwrought to be successfully funny; his proposal of *A New System of English Grammar* was, however, ingenious and clever.

One of the first of a group of political humorists characteristically American was Seba Smith (1792-1868) who, as "Major Jack Downing," did much to make President Jackson's administration appear

* An amusing illustration of this occurred in the vociferous cry of an undergraduate at Oxford during the dignified ceremonial of bestowing an honorary degree upon Holmes—"Did he come over in the 'One-Hoss Shay?'"

ridiculous.* In Civil War times there were two whose wit was a distinct patriotic asset and a happy diversion of the weary War President — Robert H. Newell (1836–1901), writing under the pseudonym “Orpheus C. Kerr” (which, interpretively pronounced, meant “Office Seeker”), and David R. Locke (1833–1888), known in print as “Petroleum V. Nasby.” The humor, such as it was, of the one is sufficiently indicated by the title of *The Orpheus C. Kerr Papers* (1859–1864). The *Nasby Letters* began in 1860 and skillfully satirized the Southerners of the border States and the Northern sympathizers with the Confederacy, and did much by 1866, when *Swingin’ round the Circle* was published, to solidify and strengthen Union sentiment.

In a broader field of humor are the oft-quoted comic characters of “Widow Bedott” and “Mrs. Partington,” the creations, respectively, of Mrs. Frances Whitcer (1812–1852) and Benjamin P. Shillaber (1814–1890). Their popularity was at its height in the 50’s, although “Mrs. Partington” continued on her quaint way for thirty years after her first appearance in 1847. Henry W. Shaw (1818–1885), “Josh Billings,” like “Nasby” and “Kerr,” used warped spelling as part of his technique. His moral philosophy, humorously clothed

and containing much pith and point, was contributed chiefly to *Josh Billings’ Farmer’s Allminax*, which began to appear at annual intervals in the early 60’s and retained its potent knacks of amusing all for about ten years.

But the prince of humorists of this period was Charles F. Browne (1834–1867), “Artemus Ward”—“Artemus The Delicious,” as Charles Reade delightfully characterized him. He, too, took liberties with orthography, but in a naïvely unconscious way, as when he remarked of Chaucer that “he was a great poet, but he couldn’t spel.” This quotation alone places Artemus Ward in that class of American humorists of which, in the succeeding period, “Mark Twain,” with his extravagance, surprise, audacity and irreverence was the chief representative. It is difficult not to give too extended instances of the quaint and whimsical humor of this “amoosin’ little cuss,” such as his sage advice, solemnly doled out, “Always live within your income, even if you have to borrow money to do so”; his famous epigram on Brigham Young, “He’s the most marrid man I ever saw in my life”; his alertly cheerful willingness to sacrifice “even his wife’s relations” on the altar of patriotism; or his rejection of the feast of raw dog, tendered him by the Indian chief Wocky-bocky, in the words, “It don’t agree with me; I prefer simple food.” His career was short. Beginning on the *Cleveland Plain-*

* It was Smith who stated that Jackson endorsed official papers with the initials “O. K.,” using these as an abbreviation for the words “all correct,” which he either ignorantly or humorously spelled “oll korrekt.”

dealer in 1858 with sketches that commanded wide and laughing notice, his chief success, after a brief period in New York as a comic writer, was a lecture tour in England with his celebrated "wax' figgers," where he would "speak his piece" in a sober almost mournful manner, stopping in apparent surprise whenever any one in the audience laughed at any extraordinarily outrageous absurdity. Several volumes of his writings were published in 1865, the best known being *Artemus Ward: His Book; Travels among the Mormons*; and *On the Rampage*. Ten years later all his work was collated and published in ten volumes.

Poets.

De Tocqueville said in 1835 that "America had not yet produced a single poet of a high order." This was undoubtedly true, although Bryant and Poe had antedated the remark by several years, for Longfellow and Whittier were only beginning to try their wings. Yet the period of political convulsion was temporarily over and that of religious controversy was gradually subsiding. There was time then for the play of imagination and its expression through the medium of poetry, which after a beginning — sometimes hesitant, occasionally imitative, and not always exuberant — finally succeeded in developing into a thoroughly American school.

It was in 1817 that an event occurred which makes a very notable record in

the history of American literature — the appearance in the new *North American Review* of a poem called "Thanatopsis." One of the editors had remarked to another that it "could not be the work of any one on this side of the Atlantic," but it proved to have been written by a seventeen-year-old boy, William Cullen Bryant. It was a marvelous achievement not only for an American, since its spirit was not at all American but slavishly English, but for its precocity; yet it formed one of the landmarks in our literature. The tender lines "To a Waterfowl" were written when Bryant was twenty-one and were consonant with the feelings of a thoughtful young man looking reflectively into the future. His first volume of verse was published in 1821 and soon afterwards he moved to New York, where his work took on a more general character; but he continued at intervals to write verses, which, from time to time, were collected in book form.

Bryant's poetry is both descriptive and reflective. His love of nature has given us beautiful pictures of her moods, but in many of these and frequently in his pensive poems they are "melancholy glimpses of the grave." "Whenever he felt stirred to poetry," some one has sagely remarked, "his fancy always started for the Valley of the Shadow of Death." He reminds one of Cowper, to whom he acknowledges a debt of gratitude, of Wordsworth, of Gray

and of Young; but he was more simple and luminous than most of these, although quite as unimpassioned. He was a writer absolutely without a sense of humor, with restricted sympathies, little flexibility, and austere imagination; but he was natural and sincere, his themes were usually native — he was preëminently the poet of the forest — and he must always be gratefully remembered for having laid a safe foundation for American verse.

There follow several names of those who can hardly be passed over, yet who miss, somehow, the higher strains of poesy. These are Joseph Rodman Drake (1795–1820), who in his “Culprit Fay” (1816) reminds us of Keats, save that we hear in its notes the American whip-poor-will instead of the English lark or nightingale, and in its pretty fancies we get glimpses of the fairies that used to play in the Highlands of the Hudson. “The American Flag,” though written at the suggestion of Halleck, is considered his best short poem.

Fitz-Greene Halleck (1700–1867), favorably known to us by his exquisitely tender lyric lamenting the early death of Drake, “Green be the turf above thee,” published in 1825 his best poem, “Marco Bozzaris,” a spirited historical lyric. Other poems preceded and followed this.

Richard Henry Dana published his first volume of poems in 1827 and the last in 1844 — verse of a kind that critics praise, but which the general public refuses to become enthusiastic

over. His longest poem, “The Buccaneer,” Whitman pronounced “of sustained interest and artistical form.”

Frances Sargent Osgood (1811–1850) deserves allusion as, in the opinion of some critics, the first American woman to write good verse; James G. Percival (1795–1856) employed a fluent but unimaginative style, which Poe said would have “made him famous if he had lived in New England”; Nathaniel P. Willis wrote *Sacred Poems* in appropriate and dignified form, of which Lowell remarks in the *Fable for Critics*:

“He’d better let Scripture alone, ’tis self slaughter,
For nobody likes inspiration and water.”

John G. C. Brainerd (1796–1828), a friend of Whittier, whose short life allowed time for only a few poems, will be best remembered for having produced what competent judges have pronounced the finest poem on Niagara Falls ever written.

What has been remarked of the fiction of Edgar Allan Poe applies essentially also to the character of his poetry. From “Tamerlane” (1827) to “The Raven” (1845) there are weird, fantastic, spectral shapes moving in a wealth of color and a symphony of sound, for he understood the rhythmic power of words far beyond any other writer this country has produced. He had the actor’s power of expressing, in a style all his own, the feelings of despair and remorse, as well as a wild sort of aspiration whose insight penetrated to mysterious but not to spiritual depths.

The year 1807 saw the birth of the two poets that stand highest in American literature — the one noted for the native artlessness of his genius and the other for the finished perfection to which culture at home and abroad had brought his art. In 1831 John Greenleaf Whittier (1807–1892) published his first volume of verse, *Legends of New England*, which brought little more — indeed deserved no more — than a local reputation. Life was strenuous; “poetry,” as his father had feared, “would not give him bread,” so he was about to direct his attention to politics when the anti-slavery movement appealed to his humanitarian spirit, and this proved the turning point in his life. For twenty-seven years Whittier was among the foremost of those who advocated this cause, and these years were the distinctive epoch of his life. They placed limitations upon his verse, to be sure, but ennobled and glorified it. *Voices of Freedom* (1849) included such ringing trumpet calls and protests as “Randolph of Roanoke,” “To Faneuil Hall,” and “The Slave Ships”; while “Waiting,” “The Watchers,” “Barbara Frietchie,” and the stirring “Laus Deo” are included in the Civil War volumes *In War Time* (1863) and *National Lyrics* (1865). Meanwhile there were appearing such narrative poems as “Mogg Megone” and “Skipper Ireson’s Ride”; such nature poems as “Lakeside” and “April”; the great religious poem,

“The Eternal Goodness”; idyls of farm life, especially “Maud Muller” and “The Barefoot Boy”; and personal poems such as “My Psalm.” In 1866 came Whittier’s masterpiece, *Snow-Bound*, a thoroughly realistic picture of New England life, with its “happy touches of local coloring and its idyllic atmosphere of domestic affection and of serene and untroubled faith.” To the end of his long life volumes of his verse continued to appear, never showing a loss of interest in public affairs, in New England life, or the Nature whose loving interpreter he had always been.

The twin-poet with Whittier in point of his birth-year and of equal or greater rank in fame, Henry Wadsworth Longfellow (1807–1882), wrote *Poems on Slavery* that were nearly synchronous with Whittier’s *Voices of Freedom*, and thereby unconsciously chronicled the characteristic difference in the style and spirit of the two men. Whittier’s verses are the native, elemental, abhorrent utterances of emotion and conviction; Longfellow, just as sincere at heart, no doubt, voiced his repugnance and dislike of slavery in polished, cultured, literary language that charmed the ear more than it attacked the evil.

From boyhood Longfellow displayed a romantic taste, which was gratified by opportunities for study on both sides of the water and fostered by his association with Harvard College. After he relinquished teaching in order to give himself more ex-

clusively to authorship, he is thought of as one who dwelt apart in a cloister of books or as the fairest centre of a coterie of the most cultivated minds of his day. He had his distinct mission and fulfilled it well—to refine our rather crude, at least untrained, taste “by opening in our own vernacular the new springs of beauty that had their source in the literature of foreign tongues.”

His first book of verse, *Voices of the Night* (1839), brought him fame, and from that time on through the decades, there was scarcely a year that did not witness a new volume of verse or at least many single poems which at once took their place as classics. *Evangeline*, with its singular appropriateness of measure to theme, appeared in 1847; *Hiawatha* (1855), with its almost barbaric trochaic octosyllables and iterations (borrowed from the Finnish *Kalevala*) did for the imaginative side of the Indian character what Cooper had done for the material; *Miles Standish*, a refreshing bit of Puritan comedy (if such an anomaly can be imagined) came in 1858; and a part of the *Tales of a Wayside Inn* in 1863. Other *Tales*, much of his dramatic work, and many beautiful poems written when his genius was “enough to warm but not enough to burn,” belong to the succeeding period.

Longfellow’s poetry, “almost feminine in its flexibility and sympathetic quality,” with its all but cloying sweetness and its rare felicity of

phrase and rhythm, had more glow and humanity than Bryant’s and greater richness and variety than Whittier’s. “The qualities that especially mark it,” says Simonds, “are simplicity of style, beautiful imagery, earnestness and narrative power, with an art often pensive but never morbid,” a taste unerring and a chord that touched and glorified the common experiences of the human heart.

The poetry of Ralph Waldo Emerson reflected the high thought of his prose—intellectual, abstract, unemotional. His two books of verse were published as far apart as 1847 and 1865. The content of his poetry was vital and original, but the technique was careless, erratic, sometimes awkward—runic rhymes or oracular “voices” that occasionally, however, rise majestically, as in the immortal lines beginning, “So high is grandeur to our dust.”

Many of the faults as well as the virtues of the prose of James Russell Lowell are reflected in his verse, but of the latter his *Fable for Critics* and the poetical parts of the *Bigelow Papers* are among the most original contributions to Yankee literature. His ardor in the political movements of his time, which called forth some of his best sonnets and lyrics, must not be forgotten; nor can we overlook his “Commemoration Ode,” with its solemn measure and masterly portraiture of Lincoln—one of the finest occasional poems in the language.

His intellectual fibre was stronger than Longfellow's, more versatile than Emerson's, more sincere than Poe's; and he struck a clear democratic, humanitarian chord that none of the others reached.

It is a fact that Oliver Wendell Holmes wished to be remembered by his poetry; and certain it is that "Old Ironsides," "The One-Hoss Shay," "The Chambered Nautilus" and "The Last Leaf" are imperishable. But critics do not place his art on a very high plane, and he wrote so much occasional verse "on a colloquial level" as to produce the general impression of being a manufacturer of verse rather than a creator of it. But his vivacity, drollery, lively quips, sparkling whimsicalities and kindly human feeling make many of his poems among the most delightful in our language.

Unconventional both in substance and form was Walt Whitman (1819-1892), "the good gray poet." He is absolutely unique in American literature — an innovator, a representative of new ideas, elemental, universal, cosmic. His vital and intense individuality was interpreted by many as offensively personal and egotistical; by others as only typical and assertively, but genuinely, democratic. His *Leaves of Grass*, published in 1855, displayed not only a startling and amazingly frank freedom of speech, but a form of expression that defied every principle of conventional poetic art — rhyme and metre, though not

rhythm or melody, being discarded; it was his way of expressing his revolt from conventionality. But in later years he conformed more closely to the ordinary rule of thought and expression, and in "My Captain" and "Ethiopia Saluting the Flag" showed how high his capabilities were in these realms, if only he would allow himself as free exercise in them as in his bolder essays.

Only three more names can be touched upon, and in the briefest way. Alice and Phœbe Cary (1820-1870 and 1824-1871), composed poems of memory and domestic affection, which, though distinctly feminine and sentimental, are "dear to simple hearts." Thomas Buchanan Read (1822-1872) wrote many good bits of verse, the best of which is the languorous, oriental "Drifting" and the most popular is the battle lyric, "Sheridan's Ride." John G. Saxe (1816-1887) wrote poems of rollicking humor, touched at times with sentiment, that have caused critics to place him on the plane of Tom Hood and Richard Burham, the English poets whom he most resembles.

And there are our "single-poem" poets, who have given us a single great song or poem so akin to nature or so powerful in its appeal to patriotism as to win for its author a place among the Immortals. Sometimes such a poem was but one among others produced by its author, but occasionally it was only a single ebullition of fervid emotion; in any case it lived because

of its human, humorous or heart-stirring qualities.

Among these are the homely or humorous bits of Samuel Woodworth, "The Old Oaken Bucket"; George P. Morris, "Woodman, Spare that Tree"; Coates Kinney, "The Rain upon the Roof"; Thomas Dunn English, "Ben Bolt"; Clement C. Moore, "'Twas the Night before Christmas"; Stephen C. Foster, "My Old Kentucky Home"; Albert G. Green, "Old Grimes is Dead"; William Allen Butler, "Nothing to Wear." Among the patriotic there were: Theodore O'Hara, "The Bivouac of the Dead" (written during the Mexican War); Walter Kittredge, "Tenting on the Old Camp Ground"; Ethelinda Beers ("Ethel Lynn"), "All Quiet along the Potomac Tonight"; George F. Root, "Battle Cry of Freedom"; Julia Ward Howe, "Battle Hymn of the Republic"; Francis M. Finch, "The Blue and the Gray"; and from the South, James Ryder Randall, "Maryland, My Maryland" (called the "Marseillaise of the Confederacy"); Daniel Emmett, "Dixie"; Abram J. Ryan ("Father Ryan"), "The Conquered Banner"; Samuel F. Smith, "My Country 'Tis of Thee"; and Francis Scott Key, "The Star Spangled Banner."

And in a class by itself stands the

"Home Sweet Home" of John Howard Payne, which "touches the Anglo-Saxon heart in its tenderest spot and, married to a plaintive air, will be sung forever."*

* Everett A. and George L. Duyckinck, *Cyclopaedia of American Literature*, 2 vols. (1875); Charles F. Richardson, *American Literature*, 1607-1885, 2 vols. (1889); J. Franklin Jameson, *The History of Historical Writing in America* (1891); Edmund Clarence Stedman and Ellen Mackay Hutchinson (eds.), *A Library of American Literature*, 11 vols. (1891); Selden L. Whitcomb, *A Chronological Outline of American Literature*, Introduction by Brander Matthews (1894); Annie Fields, *Authors and Friends* (1896); M. A. DeWolfe Howe, *American Bookman* (1898); Charles Noble, *Studies in American Literature* (1898); Oscar Fay Adams, *Dictionary of American Authors* (1901); W. D. Howells, *Literary Friends and Acquaintance* (1901); Barrett Wendell, *A Literary History of America* (1901); Lorenzo Sears, *American Literature in the Colonial and National Periods* (1902); George Edward Woodberry, *America in Literature*, 2 vols., (1903); Thomas Wentworth Higginson and Henry Walcott Boynton, *A Readers' History of American Literature* (1903); Richard Burton, *Literary Leaders of America* (1904); Charles Wells Moulton (ed.), *A Library of Literary Criticism* (both English and American authors), 7 vols. (1904); William P. Trent, *A Brief History of American Literature* (1905); Carl Holliday, *History of Southern Literature* (1906); Mildred Lewis Ruth-erford, *The South in History and Literature* (1906); Leon H. Vincent, *American Literary Masters* (1906); Annie Russell Marble, *Heralds of American Literature* (1907); Henry Mills Alden, *Magazine Writers and the New Literature* (1908); Edwin W. Bowen, *Makers of American Literature* (1908); William E. Simonds, *History of American Literature* (1909); W. C. Brownell, *American Prose Masters* (1909); Montrose J. Moses, *The Literature of the South* (1910); George Rice Carpenter, *American Prose: Selections with Critical Introductions* (1911).

CHAPTER IV.

1789-1865.

ART, MUSIC AND THE DRAMA.

The first American group portrait — West and his "Death on the Pale Horse" — The work of Copley, Peale and Trumbull — Gilbert Stuart and his classic portraits — Some of his contemporaries — Vanderlyn and Allston — Painters of the earlier decades of the Nineteenth century — The founders of American landscape painting — The beginnings of musical art in America — The first American composer of church music — Early vocal music — The first Handel Society in America — The Massachusetts Musical Society and the Handel and Haydn Society of Boston — The progress of musical culture in the South — First performance of the "Messiah" — Founding of musical societies and journals — Our first English operatic production — First Italian and French opera — The development of church music before the Civil War — The coming of Italian singers — The first regular orchestral concerts — The Boston Academy of Music — Founding of the New York Philharmonic Society — The first German opera — The fathers of the American stage — Our first theatres — The first American play — The Park Theatre of New York and the first serious American drama — Famous actors of the time — Edmund Keane the first visiting actor — Cooke and other foreign stars — Forrest's introduction of American plays — Stimulation of native drama and negro minstrelsy by Booth and "Uncle Tom's Cabin."

Art.

While in the first century of the colonial era there was little art save the work of a few local painters of mediocre merit, Bishop Berkeley, who is associated with American literature and education, gave some impetus to artistic growth when he induced John Smybert, the Scotchman (1684-1751), to settle in Boston. He it was who painted the first group in America, "Bishop Berkeley and His Family," now at Yale University. To-day we have fully three thousand painters, sculptors, illustrators, and as many architects of recognized standing.

Smybert was followed by a number of portrait painters from abroad, some of whom did good work and all of whom paved the way for the success of early American painters, at whose head stands Benjamin West (1738-

1820). West's first effort was to paint a child sleeping in its cradle. Although his material was rude — a brush made of hairs from a cat's tail, colors from grinding charcoal, chalk, the blackberry, and indigo furnished by his mother's laundry — his genius was unmistakable. He studied in Italy, settled in England, and became president of the National Academy of Great Britain. He loved to aid American students in their struggle for fame and never forgot his native land. A portrait painter at the age of fifteen, he was to develop into the genius that gave to the world "Death on the Pale Horse," with all its daring and power.

Copley (1737-1815) became a portrait painter at seventeen and was more associated with America than was West, for it was not until his thirty-ninth year that he settled in England, where his reputation had

preceded him. He was also a historical painter of merit, whose portraits were masterly in color, detail and expression. Another colonial artist of much versatility was Charles Wilson Peale (1741-1827), who owes his fame to his portraits of Washington, which are certainly faithful, whatever other qualities they may lack. Of greater ability was another soldier of the Revolution, Colonel John Trumbull (1746-1843), whose artistic genius was aroused at college by Snybert's copy of one of Vandyck's works. After the war he studied in London under West, his best paintings being composed in England. His works include portraits and historical paintings and, within limitations, he displayed qualities which surpassed his contemporaries. His "Death of Montgomery" and the "Battle of Bunker Hill," with their breadth of detail, harmony of lines, color, stirring movement, and strength of appeal, reach the high-water mark of his age. In later years he was one of the founders of the Academy of Fine Arts and subsequently its president.

Gilbert Stuart (1756-1828), a native of Rhode Island, was fortunate in his teacher Cosmo Alexander, a Scotchman who took him to Scotland. After studying under West, he lived for awhile abroad, where his portraiture brought him fame. Louis XVI. was included among his sitters. In 1793 he returned home, finally residing in Boston. His portraits of leading Americans, such as Washington

(depicted near the close of his life), were to become classic. His work showed his genius for color and technique. Among his contemporaries were artists of fair ability, men like his nephew and pupil, Stuart Newton, who as a native of Halifax belonged to British art; James Frothingham, Colonel Sargent, with his "Landing of the Pilgrims;" Rembrandt Peale (1778-1860) with his celebrated portrait of Washington; and Thomas Sully (of English birth), with his exquisite ideal head of a maiden.

John Vanderlyn (1776-1852) almost spanned the early formative period of American art, of which he was a brilliant exemplar. A farmer's boy on the Hudson, his rude sketches aroused the attention and encouragement of Aaron Burr. Much of his life, with its varied features, he passed at Rome and in Paris. He left two works of recognized power. One, "Marius among the Ruins of Carthage," won him the gold medal at the Paris Salon, which his poverty forced him twice to pawn and to leave unredeemed. The other, "Ariadne," is a painting in the classic style of considerable merit.

In miniatures, Edward G. Malbone (1777-1807) was unexcelled; his "Hours" still maintains his reputation.

Washington Allston (1779-1843) is easily the most widely known name in that period. A colorist of great beauty, with an imaginative genius of distinct quality, and with originality

of mind, he might have attained a far higher rank. One of his pupils in London was Samuel F. B. Morse, who in early life displayed ability in sculpture and painting. To him we owe the Academy of Design of New York, organized in 1826, of which he was the first president. Philadelphia was a little ahead with the Pennsylvania Academy of the Fine Arts, founded in 1805.

In the early decades of the Nineteenth century, with English influence affecting our literature and the dawn of a more general taste for art, Harding, Weir, Cole, Doughty, and Durand may be regarded as leading portrait, figure, and landscape painters. The founding of the National Academy of Design led to the development of portraiture by Alexander, Jarvis, and Ingham. New York, after Henry Inman attained success, can point with pride to Charles Loring Elliott, Huntington, Baker, and Page. Boston can mention Healy, Hunt, and Ames. Some of these reached into the post-bellum period—the period that saw the birth of American landscape painting, whose founders were Cole, with his solemn majesty, Doughty, with his simplicity, and Durand, steel-engraver and portrait-painter, with distinctively national traits.

Music.

The psalm tunes of the Puritans formed the basis of musical art in America, but, with their opposition to

instrumental music and secular music in general, there would have been little advance, if this narrow attitude had not been overcome. It was owing to the advice of Rev. W. Symmes to form singing societies that such organizations were founded in New England about 1720, which both improved church music and developed a better taste for music among the people. Soon music began to be published, the collection of Josiah Flagg (1764) being perhaps the most noteworthy.

William Billings (1764–1800), a Boston tanner, was the first American composer of church music. In 1770 he issued “The New England Psalm-Singer,” containing a number of his first compositions. Encouraged by its success, he issued “The Singing Master’s Assistant” in 1778. With the Revolution he became a patriotic psalm-singer, transforming psalms into political hymns. He organized concerts and introduced the viol into the church choir. Andrew Law, of Cheshire, Connecticut (1748–1821), was in a more serious vein and did good work in New England and the South as a singing teacher. Quite a number of composers and teachers followed in their turn. With all their unevenness, Billings and the rest marked an epoch in American musical culture. Many singing schools and choirs began to spring up, particularly in New England, and a fair market was created for new books in music. In those days solo singing by a man

in churches was unheard of, and instrumental music was vigorously opposed as unscriptural.

Gradually, however, as the feeling against the organ grew less tense and as other musical instruments were imported, church music began to develop. Edward Bromfield, of Boston (1723-1746), made the first attempt at organ-building in America. Following the example of Stoughton, the earliest in that line (1786), Dartmouth founded a Handel Society. In 1807 the Massachusetts Musical Society, predecessor of Boston's Handel and Haydn Society (1812), was organized. Owing largely to Gottlieb Graupner, who came to Boston in 1798, musical culture was promoted, while some English musicians did their share in this direction. After that musical art was to have three tendencies — Italian opera, German instrumental music, and English church music, keen rivals in later decades. The organization of the Handel and Haydn Society marked a distinct era.

In the South — particularly in Baltimore, New Orleans, and Philadelphia — musical culture, beginning with church music in the form of English psalmody, made rapid strides. New York was to supersede Boston as its centre. During the colonial period conditions were similar to those in New England. The "Messiah" was performed in Trinity Church as early as 1770. Musical societies were founded and numerous concerts given.

Several churches possessed first class organs. As a rule, the singing societies were copied from the English standard, as were also the American musical journals. English opera was produced for the first time in New York in 1750, when "The Beggars' Opera" was given. This was followed by the most popular English ballad-operas. Several eminent English singers — such as Inceden and Phillips — appeared, and Garcia gave a taste of Italian opera in 1825. New Orleans welcomed its first regular French Company of comedians as early as 1791. In 1813 its grand opera house was opened, which when destroyed by fire five years later, was replaced by a new structure. French opera was presented from 1818-19 with much grandeur.

Church music showed great development in the decades preceding the Civil War. A new class of teachers arose of the type of Thomas Hastings (1787-1872), who came to New York in 1832, having been invited by several churches to organize choirs and promote a more religious psalmody. Lowell Mason (1792-1872) was also a central figure from 1836 to 1850 as teacher, compiler, editor, and as head of the Boston Academy of Music. Nathaniel J. Gould (1789—), as teacher, compiler and energetic worker, also deserves mention.

New York's first serious attempt to transplant Italian opera in 1825 under Garcia was hastened by Italian musicians who had sought shelter on

American soil, in particular by Filippo Trajette (1776-1854), teacher, composer, and theatrical manager, and Lorenzo Da Ponte (1749-1838), teacher, merchant, composer, and professor at Columbia. Garcia gave seventy-nine representations, then came desultory efforts to arouse interest until the arrival in 1832 of Montessor's Company. The season lasted thirty-five nights. A new opera house was built in 1833, but was destroyed by fire in 1839. Decades before the Civil War the local musical societies made fair progress. On November 18, 1831, Handel's "Messiah" was given for the first time in New York. Haydn's "Te Deum" and the "Creation" followed, and Mendelssohn's "St. Paul" was heard in 1838. In that year Daniel Schlesinger, conductor of the Concordia and a gifted musician, died at the age of thirty-nine. Regular orchestral concerts then began to be given in Boston by the Academy of Music, later by the Musical Fund Society. The steadiest of these organizations was the Handel Musical Association (organized in 1837). In 1833 the Boston Academy of Music was organized to establish schools of vocal music, young people's classes, vocal music in public schools, and for other ambitious purposes. Due to its suggestion, in 1837 music was introduced in some of the Boston grammar schools. The Academy closed in 1847, after a short but useful career.

The forties and fifties witnessed un-

concerted efforts to promote English and Italian opera in New York, and, above all, the establishment of the Philharmonic Society. M. C. Hill (1802-1875), who organized that society in 1842 (incorporated in 1853), was one of its first violins. Its programs have been admirably arranged from the start, and many eminent foreign and native artists have appeared at its concerts. Theodore Eisfield (1816-1882) introduced chamber music in a series of classic quartet soirées. Similar efforts were made by Mason and Bergmann, and later by Mason and Theodore Thomas. New chorus societies—the New York Harmonic and later the Mendelssohn (both short-lived)—and their oratorio performances displaced genuine musical culture. The Academy of Music opened in 1854, with Grisi and Mario, and introduced the standard operas. In 1859 "Tannhäuser" was produced by Carl Bergmann for the first time in America. The year before the Civil War saw further success of French opera in New Orleans, with a new opera house erected in 1859.

Drama.

American drama is an English inheritance. Plays, players, and playwrights were long to continue English importations and its dependence on England has not yet wholly ceased. If Anthony Alston was the first actor to play in New York and elsewhere (before 1731), the Hallams may be regarded as fathers of the American

stage. They appeared on September 17, 1753, at the Nassau Street Theatre, New York, and continued to act with their company three times weekly until March 18, 1754. In 1766 Philadelphia had its first permanent playhouse, the Southwark Theatre. As early as 1752 Williamsburg (Virginia) had its first play in the "Merchant of Venice." Newport followed with a play-house in 1759, Perth Amboy in 1760, Baltimore in 1773, and Charleston (South Carolina) in 1774. Albany (New York), Boston, and Richmond had theatres before 1800. Public sentiment in favor of the stage grew slowly.

The first play written by an American and presented by a regular company on the American stage was "The Contrast" in 1787, by Royall Tyler, chief justice of Vermont. This was a comedy in five acts. The play has no depth and its only claim to notice, apart from its being the first of its class, is the appearance of the Yankee as a stage character, who still holds the boards. It was given at the John Street Theatre, New York, which was opened by the Hallams in December of 1767 "at six exactly." On the playbill was the notice, "Ladies will please send their servants to keep their places at four o'clock." Closed in 1774, when all public amusements were suspended by the Provincial Congress, it became the Theatre Royal on the British occupation of New York. Despite clerical attacks on the stage, it was reopened in 1785. President

Washington was a frequent visitor, and here "Hail Columbia" was first played. At this theatre first appeared John Hodgkinson and Joseph Jefferson, Sr. In 1795 the house was closed owing to the yellow fever epidemic. The final performance was given in January of 1798.

The Park Theatre of New York, opened that year, had a more famous history than that of the John Street playhouse, with its three decades of varied fortunes. It could seat 2,000 and its initial cost was \$130,000. Here in 1809 John Howard Payne (1792-1852) made his *debut* as Young Norval. It was he who wrote the first American drama of importance — "Brutus; or the Fall of Tarquin." In the half century of this theatre's existence (it burned down in 1820, was reopened the following year, remodelled in 1848, and again destroyed by fire two months later) there clustered about its walls memories of Cooke, Holman, Kean, Kemble, Cooper, Booth, Wallack, and Mathews. In 1826 three Shakesperian actors — Macready, Forrest, and Hackett — appeared at this house. Charles Kean came in 1830, the Kembles in 1832-3, Burton in 1834, and Brougham in 1842.

It was undoubtedly Edmund Kean's visit to America in 1820 that gave the stage a new distinction. The first really eminent visiting star was George F. Cooke in 1810, but his career was cut short by his death in 1812. With Kean began the ever lengthening list of famous actors and actresses

from abroad, who include the leaders of their art in England, France, Germany, Italy, Russia, etc., and who have made the drama international and furnished high standards for an American player and playwright. In comparison with foreign actors and dramatists, our American contributors are, with some notable exceptions, few and disappointing.

Next in time to Royall Tyler must be mentioned William Dunlap (1760-1839), whose plays (fifty in number) were as pretentious as they were prolific. Edwin Forrest introduced two plays by Americans—John A. Stone's "Metamora" and R. W. Bird's "Gladiator." In the years before 1861 Dion Boucicault and other Eng-

lish actors occupied the boards, although the genius of William Warren, Charlotte Cushman and of Edwin Booth had already unfolded. "Uncle Tom's Cabin" was then pointing to a new development of the native drama, and negro minstrelsy was at its height.

The early period of American drama was, on the whole, but slightly American. Its character, too, was not adapted to arouse our National pride. It was, however, an era of stock-companies, founded on Old World lines, which, with their comprehensive repertoire, formed a training school for actors. Moreover, the day of commercialized drama was yet unknown.

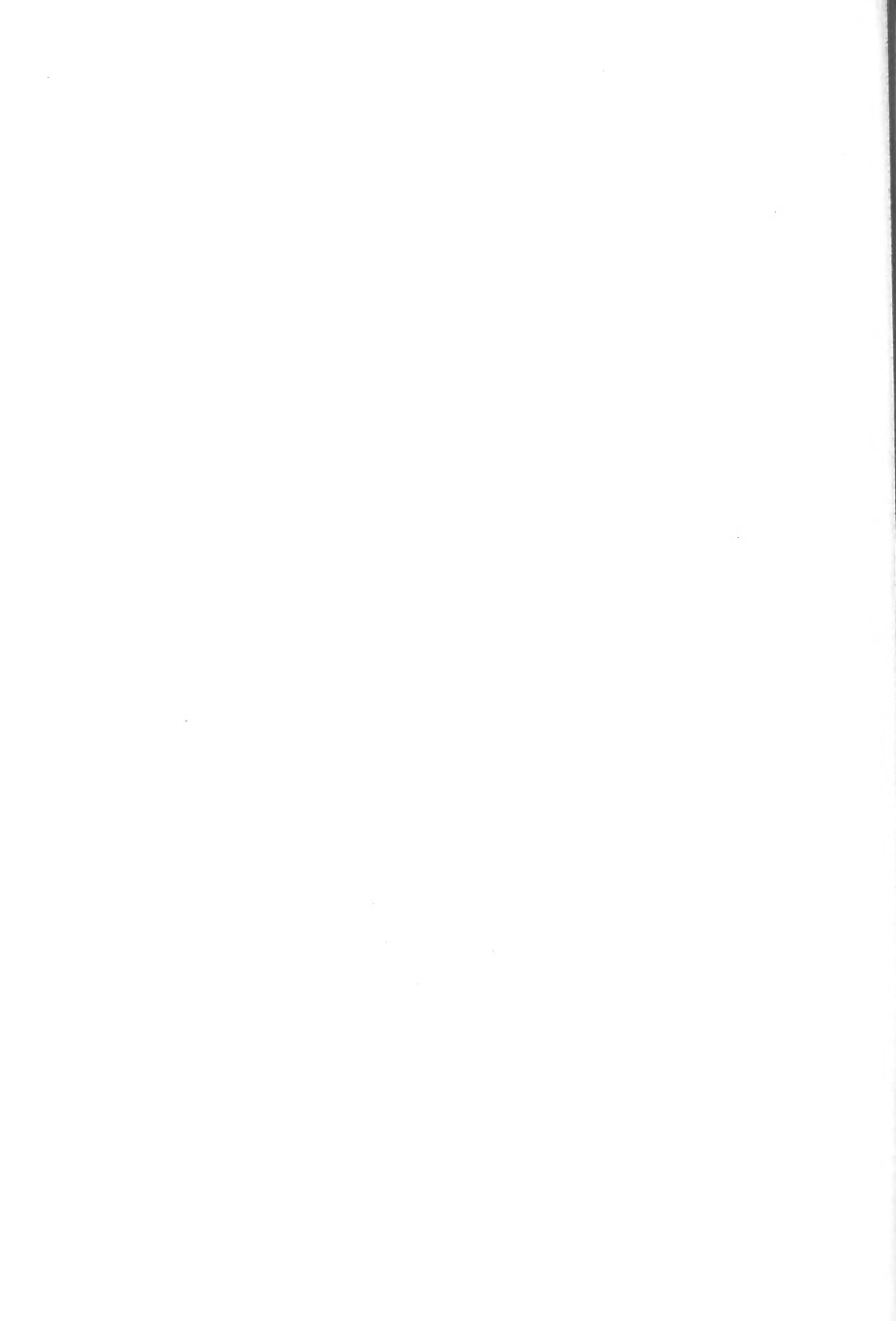


SERIES FIFTEEN

LECTURES SIXTY-EIGHT TO SEVENTY

Development of Governmental Departments and Governmental Regulation of Commerce and Industry, 1789—1865

68. The Legislative, Executive and Judicial Departments
69. The Formation of State Constitutions
70. Governmental Activities in Regulating Commerce and Industry



THE UNITED STATES

CHAPTER I.

1789-1865.

THE NATIONAL LEGISLATURE.

The genesis of Congress — Its evolution as a coördinate branch of the Government — The Senate *vs.* the British House of Lords — Powers of the Senate and the House — The Speaker's influence — Henry Clay and other distinguished speakers — Membership of the House and the Senate — Fallacy as to abundance of great statesmen in early Congresses — The nature of Congressional business — Slavery the core of most internal problems during the forty years preceding the Civil War — A brilliant record in our legislative history.

WHEN the framers of the Constitution completed their task they had a system of government that, in general, has remained unchanged for over a century and a quarter. Of no branch has this been more true than of the Legislative. In form, in scope, and in methods of procedure, the Federal Senate and House of Representatives were in 1789 practically what they are to-day. Changes there have been, but these were of minor importance, not affecting any important particulars of the original legislative structure. The changes that have been made and the development that has gone on have been the outgrowth of changing political and other conditions of the country; in that light, they are not only interesting but valuable as reflexes of public opinion at various stages of the history of the country.

termed after the colonial assemblies and, more remotely, after the British Parliament. But, save in retaining the bicameral form, the original copies were largely departed from. And as time went on the differences became more and more marked, Congress making for itself a place of substantial, and in some respects original, power as a coördinate branch of the Government.

In the Congress of the Confederation all States, large or small, had equal representation. The larger States, Virginia, Pennsylvania, and Massachusetts, objected to this and it was as a compromise that the Constitution provided for two houses — one the Senate, to be composed of representatives of the States as individual commonwealths (two to each State), and the other the House, to be constituted of representatives of the people according to population. But it is

In the main, Congress was pat-

worth noting that to each Senator an individual vote was given. Thus, even in the Senate the idea of popular representation was in a measure introduced by providing against a fixed solid vote of the State as a State, as had prevailed in the Congress of the Confederation.

Although the Senate has often been compared to the British House of Lords, there is a vital difference between the two; the former represents the people, even though in their corporate form of commonwealths instead of directly, while the latter is made up of and represents a fixed class of inherited aristocracy. In the convention of 1789 the original idea regarding the Senate was undoubtedly that it should partake, to a considerable extent, of the character of an advisory and corrective body to the Executive as well as a legislative body coördinate with the House. Such had been the governor's councils in the several colonies, after which the Senate was in a measure designed. That intention is particularly evident in the provision that certain appointments of the President must be "by and with the advice and consent of the Senate" and in the power given to the Senate to ratify or reject treaties with foreign nations and to try impeachments. This close relationship between the Executive and the Senate was further emphasized by making the Vice-President presiding officer of the Senate. It was even proposed by Hamilton and Pinckney

(and favored by others) that the power of declaring war, making treaties, appointing foreign ministers and judges of the Supreme Court should rest solely in the Senate. The ultimate development of the Senate into a more purely legislative body coördinate with the House, is one of the most interesting chapters of our government history. It began in the Constitutional Convention, in the discussion of the powers of the proposed body, continued during the next century, and may continue for another hundred years to come.

As established by the Constitution, the Senate became second only to the Supreme Court in dignity, importance, impressiveness and power. It is the only part of the United States government system that never perishes. The arrangement for the expiration of terms of service of Senators and the election of their successors makes the body continuously existent. Presidents, Vice-Presidents and Cabinet officers may die or go out of office; the House of Representatives goes out of existence every two years; but the Senate is as permanent a body as the Supreme Court. In this respect it may be considered as more conspicuously representative of the people as the complete National body than any of the other branches of the Government.

Except that it is non-continuous, the House of Representatives is not inferior in power to the Senate. It is in no sense a "lower house," as it is

often termed. In respect to some powers it is superior to the Senate. Only in the House can bills for raising revenue originate and impeachment proceedings against public officials be instituted; and there alone must the President of the United States be elected in case the electoral college fails in that duty. But the permanence of the Senate, the general tendency to elect to that body men of superior attainments, and the advantage which long terms of office afford in familiarity with public affairs and parliamentary proceedings, have given to the Senate a distinction and a degree of parliamentary power and influence that the House has never possessed.

Membership in the House was restricted in the Constitution only to citizens of the United States and inhabitants of the State in which they are chosen, twenty-five years of age. Sometimes, in the early years of the Republic, all the Representatives were elected on a general ticket voted throughout the State. By the apportionment act of 1845 it was directed that Representatives should be chosen by districts formed of contiguous territory, and that method finally became permanent. The House has from time to time taken to itself powers that were not specifically granted or denied by the Constitution. It has done this on the ground of exigencies arising which the framers of the Constitution could not foresee and which the legislative body, under

its right to govern itself, should meet. Thus, Territorial delegates were admitted to act on committees, to debate, to make motions, and to exercise nearly all the powers of Representatives except that of voting. This practice, which is extra-constitutional, was begun in the case of the Northwest Territory by the Congress of the Confederation in 1787 and was continued by the House under the permanent constitutional government.

From the beginning the power of the Speaker of the House, elected by his fellow members, was great. He was always from necessity a skilled parliamentarian, but his power did not end there. As the recognized leader of the political majority of the House and through his committee appointments and other means, he often held in his hands the destiny of his party and even of the country, exercising, sometimes, an influence as great as, if not greater than, the President's. By law he was third in order of succession to the Presidency in case of the death of the Executive, only the Vice-President and the President of the Senate taking precedence. In the first half-century of the Republic some of the most eminent public men of the day occupied the Speaker's chair, but even in those days political expediency rather than admitted ability often dictated the choice. The first Speaker was F. A. Muhlenberg, of Pennsylvania. In subsequent years some of the most noted speakers were Jonathan Trum-

bull, of Connecticut, Jonathan Dayton, of New Jersey, Theodore Sedgwick, of Massachusetts, Nathaniel Macon, of North Carolina, Joseph B. Varnum, of Massachusetts, Henry Clay, of Kentucky, Philip P. Barbour, of Virginia, Robert C. Winthrop, of Massachusetts, Nathaniel P. Banks, of Massachusetts, and Schuyler Colfax, of Indiana. In ability, distinction and length of service, none surpassed Henry Clay, who was elected Speaker in the 12th, 13th, 14th, 15th, 16th and 18th Congresses. He was the only man of real Presidential calibre to occupy the Speaker's chair prior to the Civil War, and the futile endeavors of his friends to secure the Presidency for him made a large part of the political history of the country in the first quarter of the Nineteenth century. The fact that in later years Speaker James K. Polk secured the Presidential prize which Clay missed does not alter this judgment of the preëminent solitary distinction of the Kentucky statesmen among the House Speakers of this period.

In the first Congress, which met in its first session on March 4, 1789, the thirteen original States were represented by 26 Senators and 65 Representatives. Virginia had 10 Representatives, Pennsylvania 8, North Carolina 17, New York 8, Massachusetts 8, Maryland 6 and Connecticut 5. In the second Congress Kentucky and Vermont came in. As time went on and new States were admitted to the Union, the size of the Senate

and the House increased until in its thirty-first session, in December of 1850, there were 62 Senators, 239 Representatives, and 2 Territorial Delegates. The preponderance of numerical power still remained in the thirteen original States and also, to a proportionate extent, in the original largest States. Thus Massachusetts had 9 Representatives, New York 34, Pennsylvania 24, and Virginia 15, a total of 92, a little less than one-half. Sectionally the North, the Northwest, and the Middle West had over one-half the House membership, the South and Southwest being in the minority.

A critical examination of the membership of the Senate and House in this period is instructive. It is a common opinion that in this formative period of our National life public affairs were directed and moulded by statesmen of preëminent ability and distinction. It may be surprising to find, therefore, how comparatively few men who were then great or subsequently became great filled Congressional seats in the first half-century of National existence. In the first Congress of less than 100 members there were not more than a baker's dozen of eminent men. In the second and third Congresses the proportion was not larger, nor was there any perceptible increase later. The names of Oliver Ellsworth, James Madison, Aaron Burr, Rufus King, James Monroe, Albert Gallatin, John Randolph, Robert Morris, John Marshall, De Witt Clinton, John Quincy Adams,

Henry Clay, Joseph Story, John C. Calhoun, George McDuffie, Robert Y. Hayne, John J. Crittenden, Nathan Sanford, Richard M. Johnson, Martin Van Buren, Daniel Webster, Thomas H. Benton, Millard Fillmore, James Buchanan, William C. Preston, Rufus Choate, Reverdy Johnson, Stephen A. Douglas, Lewis Cass, Lincoln, Salmon P. Chase, William H. Seward, Charles Sumner, Edward Everett, Hamilton Fish, R. M. T. Hunter, Jefferson Davis, Alexander H. Stephens, W. L. Yancey and perhaps as many more loom large in the period of 1789–1860, not alone by reason of the individual distinction of the men who bore them but as well from the ordinary capacity of those surrounding them. To read the lists of the several thousand Congressmen of these 70 years is to read a list not only of forgotten reputations, but of names almost entirely unknown. Session after session the entire delegation of many of the largest States spelled obscurity then as ever. The history of the country in National legislation was made by a comparatively small percentage of the men who went to Congress.

Most of the business transacted by Congress in this period consisted (as always) of minor matters, small in themselves but essential to efficient government. There were great questions, however, the consideration and settlement of which called for the highest order of statesmanship and patriotism. Early in the century came the struggle for commercial

independence and the maintenance of National rights against the aggressions of England and France — affairs scarcely less momentous than those of the Revolutionary period. Regulation of trade, the determination of the currency, the disposition of the newly-acquired western territory, the development of roads and canals; these were some of the matters relating to the internal life of the country that pressed for decision. That they were generally satisfactorily solved, in a manner that conserved the Nation's power and existence, is a credit to the statesmanship, the practical sound sense, and the patriotism of those who had control of the legislation of the period.

After the War of 1812, when the United States were safely on their feet as a Nation, arose those questions of domestic policy which were not to be finally settled save by the arbitrament of arms after 1860. For forty years commerce, territorial expansion, tariff and State-rights were all intermingled and centered around the one great issue of slavery. Forty years' records of Congress attest to the unceasing struggle. No parliamentary history of the world surpasses that of the United States in this period in either the brilliancy of the debates in Senate and House, the virulence of spirit manifested by the opposing parties or the magnitude and far-reaching results of the issues involved. For forty years the halls of Congress were intellectual battlefields. In many

respects this was, in the legislative branch of the Government, the most brilliant and most important period of our National existence.

When Congress assembled in July of 1861 there were many empty seats. Throughout the last session of the Thirty-sixth Congress, held in the first months of 1860, the note of secession had been sounded by the Representatives of the South, and their declarations had culminated in an appeal to

arms. Some of these Representatives had resigned when their States seceded and others were then expelled. There were then 50 Senators and 193 Representatives, while a year before there had been 66 Senators and 239 Representatives. In both houses the Unionists were in a large majority. That condition continued throughout the war period, when legislation was concerned mostly with plans for prosecuting the war.*

CHAPTER .II.

1789-1865.

NATIONAL EXECUTIVE DEPARTMENTS.

The development of executive departments an index of National growth — Establishment of the Department of State — Duties of its first Secretary — Organization of the Treasury Department — Its early history and tribulations — Evolution of the Department of War — Its original functions — Establishment of postal routes and post-offices — The dual postal system of Revolutionary times — Inauguration of regular mail service — Organization of the Department of the Interior.

The history of the creation and growth of the executive departments of the Government reflects, in a large measure, the growth of the United States from a small confederacy to a great and powerful nation. The expansion of territory, the increase and spread of population, the diversified interests of the people from generation to generation, the rise of new social, industrial and political problems to be solved in the light of democratic principles, our relations to the other nations of the world,—all are reflected in the history of these instruments of the Government. The executive departments do not exist by virtue of the Constitution, but have been

created by acts of Congress as the necessity for them arose.

* P. L. Ford (ed.), *The Federalist* by Alexander Hamilton, James Madison and John Jay (New York, 1898); B. P. Poore, *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the United States* (Washington, 1876); George Bancroft, *History of the United States of America* (6 vols., New York, 1891); George T. Curtis, *Constitutional History of the United States* (2 vols., New York, 1889-96); Joseph Story, *Commentaries on the Constitution of the United States** (2 vols., Boston, 1891); J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy and of the Political History of the United States* (3 vols., Chicago, 1884); *A Biographical Congressional Directory 1774-1903* (Washington, 1903); Charles Lanman, *Biographical Annals of the United States During Its First Century* (Washington, 1876); J. R. Tucker, *The Constitution of the United States* (2 vols., Chicago, 1899); J. B. McMaster, *History of the People of the United States* (7 vols., New York, 1893-1910); G. Tucker, *History of the United*

The Department of State was established as an executive department under the Constitution by act of Congress July 27, 1789, and was then denominated the Department of Foreign Affairs, its official head being the Secretary for the Department of Foreign Affairs. By the act of September 15, 1789, the name of the Department was changed to the Department of State and the name of the chief officer thereof to the Secretary of State. This Department ranks as the first of the executive departments of the Government. Its province is both foreign and domestic. The Secretary has charge of all foreign affairs of the nation, of certifying by seal the commissions of all civil officers appointed by the President, of preserving the originals of all bills, orders and resolutions passed by Congress, and of promulgating the laws, amendments to the Constitution, and commercial reports from the foreign representatives of the Nation.

In 1792 the Government had five representatives abroad—in Great

Britain, France, Netherland, Portugal and Spain. Thomas Jefferson was then Secretary of State, the first occupant of that office, and had a staff of eight clerks. In 1810 there were 10 diplomatic agents and 83 consular officers, with an office force of twelve. In 1820 19 persons were in the diplomatic service and 134 in the consular service, with 16 employés in the office of the Secretary. From Jefferson in 1790 to Seward in 1861–1868 (both inclusive) there were 28 secretaries. An assistant Secretary of State was authorized in 1853, and prior to 1869 there were six incumbents of the office. The organization of this Department developed as the importance of our foreign relations grew; and before 1833 a diplomatic bureau, a consular bureau, a home bureau, a bureau of archives, laws and commissions, and a library had been added to it.

The resolution passed February 17, 1776, at the third session of the First Continental Congress contained the germ of the future of the Treasury Department. This resolution provided for the appointment of a standing committee of five to superintend the Treasury and manage the financial affairs of the Confederacy. In April of the same year Congress voted to establish a Treasury Office of Accounts, to be supervised by the Treasury Committee, and in the next September the offices of comptroller, auditor, treasurer and two chambers of accounts were established. In February of 1779 the office of Secretary

States (4 vols., Philadelphia, 1857); *The Public Statutes-at-Large of the United States, 1789–1865*; T. H. Benton, *Thirty Years' View* (2 vols., New York, 1854–1856); A. Bradford, *History of the Federal Government for Fifty Years, 1789–1839* (Boston, 1840); H. Niles, *Weekly Register* (76 vols., Baltimore, 1811–1849); Henry Wilson, *Rise and Fall of the Slave Power in America* (3 vols., Boston, 1872–1877); James Bryce, *The American Commonwealth* (2 vols., New York, 1893); Francis N. Thorpe (ed.), *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories and Colonies, Now or Heretofore Forming the United States of America*, issued as House Doc. 357, 59th Congress, 2d session (7 vols., Washington, 1909).

of the Treasury was established, but it endured only a few months. The following July an ordinance was passed dropping the office of Secretary of the Treasury and providing for a Board of Treasury consisting of five commissioners, an auditor-general, and six auditors of the army. By resolution of February, 1781, a Superintendent of Finance, a Secretary of War, and a Secretary of Marines were added to the department. In September of the same year the department was again reconstructed, the commissioners, the chambers of accounts, the auditor-general, the auditors and the extra commissioners, with all their subordinates, being legislated out and a comptroller, a treasurer, auditors and a registrar being provided to aid the Superintendent of Finance. By the ordinance of May 28, 1784, the office of Superintendent of Finance was abolished, provision being made for a board of three commissioners to be appointed by Congress to superintend the finances. This ended the efforts to organize the department under the Confederacy.

Under the Constitution, the First Congress passed an act on September 2, 1789, establishing a Treasury Department for the new Federal Government and providing for a Secretary of the Treasury at its head, a comptroller, an auditor, a treasurer, a registrar, and an assistant to the Secretary. The act of May 8, 1792, created the office of Accountant of the Department of War and abolished the

office of Assistant to the Secretary, creating in place thereof the office of Commissioner of the Revenue. The office of the Commissioner of the Revenue was abolished April 6, 1802, re-established July 24, 1813, and finally abolished by the act of December 23, 1817.

In 1792, 100 persons were employed in the department, and the 500 customs officers collected a revenue of about \$3,400,000. In 1791 the gross receipts of the Government amounted to \$4,770,000, while the expenditures were \$3,790,000. For the fiscal year ending July 1, 1865, the receipts of the Government were \$329,518,886 and the expenditures \$1,290,312,982.

Connected with the department before the period of the Civil War, were the general land office, the bureau of navigation, the supervising architect, the marine hospital service, the coast geodetic survey, and the bureau of internal revenue. In 1863 the office of comptroller of the currency, to supervise the National bank system then created, was added. Alexander Hamilton was the first Secretary of the Treasury in 1798 and, down to Hugh McCulloch in 1865, there were 32 incumbents of the office.

During the Revolution military affairs were directed by a Board of War. After the War for Independence, a Department of War was established, with Benjamin Lincoln as its first Secretary. The Department was fully recognized by Congress in 1789, when General Henry Knox was ap-

pointed Secretary. To and including Edwin M. Stanton, 1862-1868, Knox had 36 successors. In the scope of its operations, the department originally covered the field subsequently divided among the Army, the Navy, and the Interior departments. The offices of the adjutant-general and the inspector-general were established in 1821, having been combined in one office previous to that year. Before 1798 the purchasing bureau of the army was in the Treasury Department, but in that year it was transferred. Between 1812 and 1835 the offices of commissary of subsistence, ordnance and quartermaster-general, of physician and surgeon-general were established. A chief engineer's office has been part of the department since 1821, having charge of work on harbors, rivers, and fortifications. The office of judge-advocate was established in 1840 and the bureau of military justice, with the judge-advocate-general at its head, in 1864.

In 1789 we had no navy, but our troubles with the Algerine pirates led the War Secretary Knox to call for vessels. Congress authorized the construction of six frigates; but, as peace with Algiers was secured in 1795, only three of these vessels were completed—the *United States*, the *Constellation*, and the *Constitution* (the first two launched in 1797 and the third soon after). In April of 1798 Congress created an independent Navy Department, with George Cabot as the first of 25 secretaries to and including

Gideon Welles (1861-1869). In 1802 a Secretary and four clerks were sufficient to transact the business of the department, with the help of an accounting force of eleven persons, who in 1817, however, were transferred to the Treasury Department. In 1815 a construction, repair and equipment board of three commissioners was added, each Secretary and board having four clerks. The naval establishment then consisted of 118 vessels, six shipyards, and 1,000 officers. In 1842 five bureaus, with a naval officer at the head of each, were created and in 1862 three more were added, among them the bureau of steam engineering. The scientific work of the department was begun soon after 1840.

Postal facilities existed in the earliest colonial period. In 1672 Governor Lovelace of New York organized a mail "to goe monthly" between the cities of New York and Boston, and five years later the General Court of Massachusetts appointed a postmaster for the Boston terminus. In 1683 William Penn established a post-office in Philadelphia, about the same time causing mail routes to be operated between Philadelphia and the principal towns of Pennsylvania and Maryland. In 1692 Thomas Neale received royal patents appointing him postmaster-general for the colonies and plantations in America, but it does not appear that he was more than a nominal head.

In 1700 the British government au-

thorized Colonel John Hamilton, of New Jersey, to establish post-offices and organize post routes in the colonies for a period of twenty-one years; and during his tenure of office there were substantial postal facilities between the larger cities of the colonies. In 1710 the colonial post-office establishment was consolidated with that of Great Britain, with the postmaster-general in London and a deputy in New York. In those days the mails between the different colonies ran only weekly or fortnightly, and so the service continued until the second quarter of the century. In 1737 Benjamin Franklin was appointed postmaster of Philadelphia, and in 1753 he became colonial deputy postmaster-general. He expanded and improved the service and succeeded in making the colonial postal system an important institution. On account of his activity in the patriot cause, he was removed from office in 1774. During the Revolution there was a dual postal system. The British government maintained its service under deputy postmaster-generals of the crown, while in July of 1776 the Continental Congress established a post-office of its own, placing Franklin in charge of it. Being called to the diplomatic service of the colonies soon after, Franklin was succeeded as head of the department by his son-in-law, Richard Bache, who, in turn, was followed in 1782 by Ebenezer Hazard, previously (in 1775) the "constitutional" postmaster in New York.

The Federal Constitution declared that "Congress has power to establish post-offices and post roads." Under this authority the department was temporarily established by an act of September 22, 1789, and permanently by the act of May 8, 1794. The first postmaster-general was Samuel Osgood, of Massachusetts. At that time there were 75 post-offices and less than 2,000 miles of post roads. In 1795 there were 453 post-offices; in 1800 903; in 1820, 4,500; and in 1850, 18,417. The cost of mail conveyance in 1789 was \$22,274. In 1820 the revenue was \$1,111,927. Generally the department was self-sustaining, and in the fiscal year of 1850 it even showed a profit of \$287,031.43. Owing to the establishment of long routes in the western territory and other causes, the expenditures of the department from 1857 to 1861 exceeded its revenues by \$21,745,027.16. During the first Lincoln Administration the large and long-existing annual deficits were gradually overcome, until in 1865 there was an excess of income over expenditures of \$861,430.42.

In the beginning the mail was carried by post-riders on horseback and by the stage-coaches. In 1813 service by steamboat was begun and in 1838 railroad transportation of the mails was authorized, 3,714 miles of such routes being used in 1843. In 1847 foreign mail service began with Bremen and in 1849 with Great Britain, the gross postage receipts from this service reaching \$1,819,928.-

56 in 1865. The plan of registering letters was introduced in 1855. Delivery by carriers in cities, without prepayment of postage, was begun in 1825 and was made free in 1863. The railway mail service was inaugurated in 1864, and the same year the postal money order system was established. In 1810 the postage on single letters was from 8 to 25 cents, according to distance. This rate was reduced to 5 and 10 cents in 1845 and to 3 cents in 1851. The dead letter office was established in 1825 and further provided for by Congressional acts of 1860 and 1862. In the fiscal year ending June 30, 1865, the postal revenues from the States then in the Union amounted to \$14,556,158.70. In the money order system the fees received were \$11,536.40 and the expenses, \$18,584.37. The same year the sale of stamps, envelopes, and postal cards amounted to \$12,847,237.50. The railroad mail service covered 23,401 miles, at a cost of \$2,707,421, and the steamboat service 13,088 miles, at a cost of \$359,598.

The Department of the Interior was created by act of Congress of March 5, 1849, with Thomas Ewing as the first Secretary. Its jurisdiction is exclusively over domestic government affairs. The first important work assigned to it was that of the General Land Office, which was then in the Treasury Department. The Bureau

of Indian Affairs, which had been administered by the War Department, was soon taken over, and the patent office, which from 1793 had been maintained in the State Department, also became part of the new department. Following 1789 pensions were paid by the Federal government, and after 1833 through an office connected with the War Department. The bureau was transferred to the Interior Department upon its formation. The first commissioners of these several bureaus received their appointments as follows: patent office, 1802; land office, 1812; office of Indian affairs, 1832; and pension office, 1837. Prior to 1850 the work of the census office was conducted under the direction of the Secretary of State. In 1849 this supervision was transferred to the Secretary of the Interior, under whom the census of 1850 was taken.*

* George N. Lamphere, *The United States Government: Its Organization and Practical Workings* (Philadelphia, 1880); L. D. Ingersoll, *A History of the War Department of the United States* (Washington, 1880); Charles Lamar, *Biographical Annals of the Civil Government of the United States During Its First Century* (Washington, 1876); D. D. T. Leech, *The Post-office Department of the United States of America* (Washington, 1879); B. P. Poore, *The Political Register and Congressional Directory, 1776-1878* (Boston, 1878); *The American Journal of International Laws*, vol. i.-v. (New York, 1908-9); *Journals of Congress 1774-1778* (Philadelphia, 1800); *The Department of State of the United States* (Washington, 1893); annual reports of the State, Treasury, War, Navy, Post-office, and Interior Departments; census reports 1790-1860.

CHAPTER III.

1789-1865.

THE JUDICIARY.

Lack of a sound judiciary long a vexing problem — Judicial provisions in the Articles of Confederation — The fuller provisions of the Constitution — Organization of our judiciary system — Oliver Ellsworth's plan — The Supreme Court constituted by Washington — Its first session in New York City in 1790 — Precariousness of its early history — Its attainment of dignity, power, and authority under the Chief Justiceship of John Marshall.

While it was recognized that the Articles of Confederation of 1778 formed but a loose compact and had many points of weakness, there was general agreement that the problem of judiciary had been a most troublesome one and had been left in the most unsatisfactory condition. During the preceding half-century of colonial government the patriots had found that the dangers arising from an established judiciary, constituted and controlled by the home government, were among the gravest with which they had to contend. How to place themselves under the proper restraint of judicial institutions without sacrificing any of the essentials of freedom, was a question not easily settled. As to the form of the judicial system they had generally satisfactory experience to guide them; as to jurisdiction, powers and procedure they also had some guiding precedents, though a number of these they could regard only as warnings.

The problem continued to be a subject of active discussion by the statesmen of the period from the Confedera-

tion Congress and the Constitutional Convention. The lack of a strong judicial system, comparable in dignity, in power, and in practical usefulness with the legislative and executive branches of the Government, was felt and sincerely deplored by many. Hamilton, Madison and others pointed out the want of this as likely to prove a grievous weakness in the Republic and a possible danger to the permanence of the new republican institutions.

Article IX of the Articles of Confederation of 1778 defined in detail certain powers delegated to Congress. Among these were several relating to judicial affairs: the creation of an admiralty court, the appointment of commissioners or judges to hear and determine boundary and other questions at issue between any of the States and to arrange the procedure therein; and the appointment of commissioners or judges to hear and determine controversies that might arise in regard to land grants. That was the extent to which the Representatives of the Republic, in the third year

of its existence, ventured to go in the assertion of judiciary powers. All else was left to the States individually.

In the Constitution of 1789 the judicial branch of the Government was more firmly established. Sections 1 and 2 in Article III provided for courts for the United States and defined their jurisdiction as follows:

"The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls, to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party, to controversies between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects."

It was provided that the Supreme Court should have original jurisdiction only in cases affecting ambassadors, public ministers and consuls, and appellate jurisdiction in other cases, and that crimes should be tried by jury and in the States where committed.

But before this conclusion had been reached there was discussion in the Convention that rivalled in vigor, and even in virulence at times, that which had preceded it on the platform, in State legislative chambers, and in

newspaper columns. Expressed in the simplest form, it was generally considered necessary to establish a judicial system which should take cognizance of all matters of general concern and yet should not in any degree encroach upon State prerogatives. The States were still jealous of their individual freedom, especially in regard to such matters as land, commerce, citizenship and taxation, and their experience as colonies from which they had just emerged made them fearful of the possible encroachments of a strong, centralized authority. On no single subject before the Convention was there a wider or more threatening divergence of opinion than on the judiciary article, but finally, out of this fiery furnace of contention, came an institution that has stood the test of more than a century and has grown in influence and popular appreciation as the years have gone by.

The judiciary system thus created was patterned upon that with which its founders had been familiar in the colonies and which had been originally derived from England. Simply stated, it consisted of inferior courts with a supreme court of final jurisdiction. But there was in it this essence of originality and divergence from preceding systems: it did not develop from the bottom upward, but the highest tribunal was first instituted, with broad authority over the existing judicial and political State institutions, while the establishment of the

inferior Federal courts was left to the future as occasion might require.

The act by which this system was created was drafted by Oliver Ellsworth, of Connecticut, who subsequently became the third Chief Justice of the Supreme Court. Existing for a century and a quarter substantially as it was planned by Ellsworth, it is scarcely beyond the limits of reason to say, with one of the warmest admirers of its author, that "the whole edifice, organization, jurisdiction, and process was built by him as it now stands." Decided differences of opinion still existed among the members of the Constitutional Convention regarding the strength of this branch of the Government. Hamilton, writing in *The Federalist*, declared that "the judiciary is beyond comparison the weakest of the three departments of power; that it can never attack with success either of the other two; and that all possible care is requisite to enable it to defend itself against their attacks." With this view Montesquieu, the great constitutional authority, fully agreed, saying that "the judicial power is next to nothing." On the other hand, Washington, with the clearer vision of the patriot untrammelled by the conventions of legal mind and training, considered "the judicial system as the chief pillar upon which our national government must rest," so writing to James Wilson, whom he, as President, commissioned to be one of the first Associate Justices of the Supreme Court.

In the campaign for the ratification of the Constitution the judiciary articles received most of the criticism. Such men as Elbridge Gerry, Edmund Randolph, George Mason, Richard Henry Lee, and Patrick Henry condemned it unsparingly. The common fear that thereby the general government would more effectually subvert the State government was wrought upon almost to the point of bringing about the rejection of the Constitution. When, however, the Rubicon was successfully crossed, President Washington at once constituted the Supreme Court by the appointment of John Jay as Chief Justice and John Rutledge, William Cushing, James Wilson, John Blair, James Iredell, and Robert H. Harrison (who declined to serve) as associate justices. The first session of the Court was held in New York City in February of 1790. The Court was removed to Philadelphia in 1791, where it sat for ten years, with the old City Hall as its meeting place. In March of 1801 it was removed to Washington, where it has remained since.

If the National judiciary came into being through storm and stress, the early history of the Supreme Court seemed in a fair way to justify the fears of those who had doubted the wisdom of its creation. Despite its being composed of strong men, it was not a strong power. Comparatively few cases came before it for decision, but in those few it began to give the distinctly Nationalistic interpretation

of the Constitution. In this respect, its work was significant and important in opening the way for the future, in enunciating principles of constitutional interpretation that were largely followed in the succeeding generations. One may concede this without going quite so far as some of the most enthusiastic admirers of the Court, one of whom (Judge Thomas M. Cooley, of Michigan) has said: "The real importance of the Supreme Court was never greater than at first."

But the first decade of the Court's existence was one of much doubt and uncertainty. The judges were not altogether sure of their powers and could not free themselves at once from the influence of the politics of the period in which they had freely participated before becoming justices. It was a time "when the politicians or statesmen of that day bivouacked in the chief justiceship on their march from one political position to another." * John Jay sat on the bench as Chief Justice while at the same time serving as Secretary of State and on his famous mission to England, and he resigned from the bench only after he had been elected governor of New York. Oliver Ellsworth held his seat as Chief Justice and also went to France as the United States minister plenipotentiary. John Marshall was both Chief Justice and Secretary of State for a month. At one time the

absence of the Chief Justice on a foreign political mission and of an Associate Justice on the political campaign in his State compelled a suspension of the sittings of the Court for lack of a quorum. It is not surprising perhaps that Chief Justice Jay, after his resignation in 1795, declined a reappointment in 1801 for the reason that he was, he said, "perfectly convinced that it [the court] would not obtain the energy, weight and dignity which was essential to its affording due support to the National Government; nor acquire public confidence and respect, which as the last resort of the justice of the nation it should possess."

In 1801, with the appointment of John Marshall to be Chief Justice, the more definite history of the Supreme Court began. Marshall sat on the bench until he died in 1835, and there is scarcely a dissenting note among students of that period of the history of the country in the verdict that he made the Supreme Court and firmly established the Constitution in respect to its controlling principles. He was a Federalist of uncompromising character and, through his decisions, gave to the Constitution a strong Nationalistic construction that was never afterward successfully disputed. Four great principles were established by Marshall: the right of the Federal Supreme Court to declare void Federal statutes; the right to hear cases in error from State supreme courts; the right of Congress to exercise

* John M. Shirley: *The Dartmouth College Case and the Supreme Court of the United States*, p. 18.

powers implied, if not definitely forbidden, as well as those expressly granted; and the right of the Federal Supreme Court to declare void State statutes that were in violation of the Constitution of the United States. It is not too much to say that these principles have constituted the firm foundation upon which our constitutional government has rested since Marshall's time.

Under Marshall's masterly direction, the Supreme Court astounded its warmest supporters and put to rout its severest critics. The problems presented to it were without precedent — the settlement of principles of government, rather than the mere administration of justice. Its decisions were striking, sound, and conclusive and when pronounced commanded immediate and complete popular confidence. In its own sphere the Court became no less stable, powerful or efficient than either the legislative or executive branch of the Government. It came to be recognized as the "most august tribunal in the world," and its history in this period fully vindicated the soundness of Washington's opinion concerning its future, expressed more than a quarter of a century earlier.

With the accession of Roger B. Taney to the Chief Justiceship in 1835, however, a period of reaction began. Taney sat on the bench until 1864, and during his time the political complexion of the Court gradually altered as

its personnel changed, until it became wholly Democratic. Taney was second only to Marshall in ability and influence and under his leadership the Court in its decisions leaned toward a stricter construction of the Constitution and an extension of the powers of the States. The precedents of the Marshall period still held, however, and the Constitution as the controlling power of government was firmly maintained.*

* Hampton L. Carson, *The Supreme Court of the United States: Its History* (Philadelphia, 1891); George Bancroft, *History of the United States of America* (6 vols., New York, 1883-85); James Bryce, *The American Commonwealth* (2 vols., New York, 1895); J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy, and of the Political History of the United States* (3 vols., Chicago, 1881); George T. Curtis, *History of the Origin, Formation and Adoption of the Constitution of the United States* (2 vols., New York, 1854); John Fiske, *The Critical Period of American History, 1783-89* (Boston, 1888); Alexander Hamilton, James Madison and John Jay, *The Federalist: A Commentary on the Constitution of the United States* (edited by Henry Cabot Lodge, New York, 1892); Joseph Story, *Commentaries on the Constitution of the United States* (3 vols., Boston, 1833); Thomas M. Cooley, *General Principles of Constitutional Law in the United States of America* (Boston, 1880); George Van Santvoord, *Chief Justices of the United States* (New York, 1854); Henry Flanders, *Lives of the Chief Justices of the United States* (2 vols., Philadelphia, 1858); W. H. Barnes, *The United States Supreme Court* (Washington, 1877); John Adams, *Works* (10 vols., Boston, 1850-56); Daniel Webster, *Works* (6 vols., Boston, 1853); Benjamin R. Curtis, *Memoirs and Writings* (2 vols., Boston, 1879); G. Pellet, *John Jay* (American Statesmen series, Boston, 1890); Samuel Tyler, *Memoir of Roger Brooke Taney* (Baltimore, 1872); A. B. Magruder, *John Marshall* (American Statesmen series, Boston, 1885), and *Life of John Jay* (2 vols., New York, 1833).

CHAPTER IV.

1789-1865.

THE FORMATION AND ADOPTION OF STATE CONSTITUTIONS.*

Variety of colonial governments before the Revolution — Mode of adopting State constitutions — Uniqueness of popular interest in written constitutions — The three principles on which they were based — The Social Contract theory *vs.* the idea of popular sovereignty — The Bills of Rights — Special features of State constitutions — Record of their adoption — Fundamental principles established in the development of State constitutions.

Before the Revolution the colonies were living under a great variety of governmental instruments. Some of them had none. New Hampshire and Delaware, for example, were without any formal grant or charter. They were not separate colonies; but New Hampshire existed only by royal sufferance and was a semi-appendage of Massachusetts, with often the same governor; while Delaware was theoretically three counties of Pennsylvania with always the same governor over all. Pennsylvania and Delaware had proprietary governments. New Jersey had a crown government, with the old proprietary instrument of government, the "Concessions." Massachusetts, New York, Virginia, the Carolinas, and Georgia had crown governments and royal charters. Connecticut and Rhode Island had pure self-governing charters. All the colonies had the rights of English freemen, popular assemblies, and the old common law, which their local

tribunals modified to meet the conditions of the new world. When the Revolution broke out, their instruments of government, except in Connecticut and Rhode Island and to some extent in Massachusetts, no longer served their new needs as members of an independent republic, requiring great modification or entire reconstruction.

The State constitutions originated, as did the National government, through popular sentiment which unified the purpose of each colony. New Hampshire, in January 5, 1776, was the first colony to adopt a constitution framed by the people. Seven other States adopted their constitutions the year the Declaration of Independence was signed. These were: South Carolina, March 26; Virginia, June 29; New Jersey, published July 3; Delaware, proclaimed September 21; Pennsylvania, September 28; Maryland, November 11; and North Carolina, December 18. The remaining five of the original thirteen adopted constitutions on the following dates: Georgia, February 5, 1777; New York,

* Prepared for this History by William George Jordan, formerly Secretary of the Governors' Conference.

April 20, 1777; Massachusetts, March 2, 1780; Connecticut, September 16, 1818; and Rhode Island, 1842.

These constitutions were adopted by provisional congresses or by conventions which had been called by the Congresses. The conventions organized in 1776 and 1777 assembled in accordance with the expressed wish of the Continental Congress that the people of the colonies should form independent State governments. None of these constitutions, except those of Massachusetts and Connecticut, were submitted to the people for ratification. Massachusetts was the first to adopt the method of procedure since commonly observed of electing delegates to a convention for the express purpose of framing a constitution, and afterwards submitting the instrument thus drafted to the people for approval. The Connecticut constitution of 1818 was adopted by a close vote of the people, 13,918 for and 12,364 against it. The earlier adopting bodies themselves had no basis but popular desire and consent, and the people asked nothing better than to have them assume the power. But in the other New England colonies there was no such haste, for their bodies of law were satisfactory enough. Even the Massachusetts General Court did not replace the royal charter by a constitution until February 28, 1778, when it was submitted to popular vote and was rejected; another, drawn up by John Adams, was adopted by a con-

vention on March 2, 1780, and ratified by the people. The two colonies, already under pure democratic charters, took no steps to alter them. No alteration was needed. In fact, Connecticut remained under the charter of April 23, 1662 (which by the statute of 1776 was enacted to be the constitution of the State), until 1818, when a strong democratic movement took the reins of power from the hands of the local aristocracies by whom they were mainly held; while Rhode Island remained under the charter of March 14, 1643 (renewed 1663), until 1842, two-thirds of a century after the Revolution.

The fact of greatest significance was that, practically for the first time in history, the people of the revolutionary period were brought in contact with a problem of establishing written constitutions. A State constitution, as defined by Bryce, is "a comprehensive fundamental law, or rather group of laws included in one instrument, which has been directly enacted by the people of the State, and is capable of being repealed or altered, not by their representatives, but by themselves alone." The political experience and theories of the colonists thus supplied three principles: (1) The employment of definite written instruments of government; (2) The idea of a constitution superior to legislative enactments and of certain natural rights secured by such a constitution; and (3) The theory of social contract.

Jefferson, Madison, and other early

American statesmen accepted the social contract theory of government advanced by Hobbes, Locke, and Rousseau, and they embodied it in the Declaration of Independence and in the bills of rights of the early State constitutions. This theory, which became prevalent in the Seventeenth and Eighteenth centuries, was that the state had its origin in a contract or compact among individuals whereby each gave up part of his liberty in order that all might be protected by the combined strength of all. This was a radical departure from the ancient doctrine, which survived the Middle Ages, that the state was of direct divine creation; and it was contrary to the patriarchal theory propounded later by Sir Henry Maine (1822-1888) that the head of the state is the king, sanctified as priest and father of his people. The social contract theory developed the idea of sovereignty in the people. This idea, with the ideas of independence and organization, formed the complete and perfect conception of the state as known to-day in the United States of America. By sovereignty is meant supreme and universal power over all individuals within the state's geographical limits. This definition is necessarily limited, however, when applied to the individual commonwealths comprising the Federal Union, because, strictly speaking, these are not sovereign States, since the supreme law of the land rests with the Federal Constitution. Nevertheless,

while drafted to conform in spirit and purpose with the larger and paramount control of the Federal instrument, the State constitution is supreme within the sphere of its operation, and thus far the State is sovereign over its people.

The colonists had contended in vain that Parliament had violated the fundamental law of English liberty (*Magna Charta*). They were explicit, therefore, in defining the rights of the people which their own governments must not invade. Seven out of the original thirteen States inserted in their first constitutions a statement of the civil and political rights of the individual, which was known as the "Bill of Rights."

Their example was quickly followed by other States. The Bill of Rights is the legitimate successor of such great English bills of rights as the *Magna Charta* (1215), the *Petition of Right* (1628), and the *Bill of Rights* (1688); and it also reaffirms the principle of the American declaration of rights as avowed by the Stamp Act Congress (1765), the first Continental Congress (1774), and finally the Declaration of Independence itself (1776).

The primordial rights mentioned in the different State constitutions include those of enjoying, possessing, and protecting property, of pursuing and obtaining safety and happiness; the right to alter or reform the government whenever the public good may require it; the free exercise and enjoyment of religious profession and

worship, without discrimination or preference, though liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State; the right of trial by jury; the right of the citizen to speak freely, write, and publish his sentiments, being responsible for the abuse of that right; the right to assemble peaceably, and to petition the government for redress of grievances, etc. The constitution of the State of New York contains a typical example of a bill of rights. The bill of rights generally comprises a single article, divided into many paragraphs or sections, and usually stands at the beginning of the Constitution, but occasionally at the end.

There are special features in every State constitution, in addition to the bill or declaration of rights. Differing in the various States, they are generally as follows:

(A) The definition of the boundaries of the State (except in the case of the older States).

(B) An outline of the general framework of the government, with provisions for executive, legislative, and judicial departments. This comprises several articles and was a most important part of the fundamental law.

(C) Miscellaneous provisions which the State legislatures have thought radical and important enough to put into their constitutions; though in many cases such provisions are, it

would seem, in the nature of statutory enactments rather than fundamental law. They relate generally to private and administrative law, including articles treating of schools, of the militia, of taxation and revenue, of the public debts, of local government, of State prisons and hospitals, of agriculture, of labor, of impeachment, and of the method of amending the constitution and other matters less political in character.

(D) Lastly, the "Schedule," which is appended to a new constitution and contains provisions relating to the method of submitting the new constitution to the vote of the people and arrangements for the transition of government administration from the previous constitution to the new one. The constitution of California (1879) affords a typical example of the schedule.

The separation of government powers and the checks and balances thereby established were the chief achievements of the early constitutions. The authority of the early State legislature was unrestricted except by the Bill of Rights. Its powers were large; its duties few, since the people of the time were principally dependent upon agriculture, and their lives involved few problems such as confront the modern industrial State. Except in Georgia and Pennsylvania, the legislature had two branches: a lower and an upper house. The early governor had a short term, limited authority, and was ineligible to suc-

ceed himself; military powers as in colonial times; no veto power in most States, and no power to pardon, or to make appointments except to minor military and judicial offices. He was chosen by the people in five States, and by the legislature in the others. Before the Revolution the legislature exercised judicial powers; after it, the judiciary was a distinct department, and the jurisdiction of the courts was defined. The judges were appointed by the executive or elected by the legislature.

The revolutionary constitutions already considered and those adopted within the next 30 years are treated by Bryce and other authorities as constituting a first period in the development of State constitutions (1776-1800). This includes the constitutions of Kentucky (1792), Vermont (1793), Tennessee (1796), and Ohio (1802). A second period (1800-1865) covers "the first half of the present century down to the time when the intensity of party struggles over slavery (1850-65) interrupted to some extent the natural processes of State development."

The following States adopted constitutions during these two periods:

- 1776 — Delaware. Later constitutions, 1792, 1831 and 1897.
- 1776 — Maryland. Later constitutions, 1851, 1864 and 1867.
- 1776 — New Hampshire. Later constitutions, 1784, 1792 (amended in 1902).
- 1776 — New Jersey. Later constitutions, 1844.
- 1776 — North Carolina. Ordinance of the Convention, 1865; and later, constitutions, 1868 and 1876.
- 1776 — Pennsylvania. Later constitutions, 1790, 1838 and 1873.
- 1776 — South Carolina. Later constitutions, 1778, 1790, 1865, 1868 and 1895.
- 1776 — Virginia. Later constitutions, 1830, 1850, 1864, 1870 and 1902.
- 1777 — Georgia. Later constitutions, 1789, 1798, 1865, 1868 and 1877.
- 1777 — Vermont. Congressional act for admission 1791. Later constitutions, 1786 and 1793.
- 1777 — New York. Later constitutions, 1821, 1846 and 1894.
- 1780 — Massachusetts.
- 1792 — Kentucky. Act of Congress declaring admission, 1781. Later constitutions, 1799, 1850 and 1890.
- 1796 — Tennessee. Congressional act for admission, 1796. Later constitutions, 1834 and 1870.
- 1802 — Ohio. Enabling act of Congress, 1802, and act of Congress recognizing the State, 1803. Later constitution, 1851.
- 1812 — Louisiana. Enabling act of Congress, 1811; Congressional act declaring admission, 1812, and Congressional act enlarging the limits of Louisiana, 1812. Later constitutions, 1845, 1852, 1864, 1868, 1879 and 1898.
- 1816 — Indiana. Enabling act of Congress ordinance of Indiana accepting the same, and resolution of Congress admitting to Statehood, all 1816. Later constitution, 1851.
- 1817 — Mississippi. Enabling act of Congress and resolution for admission, 1817. Later constitutions, 1832, 1868, 1890.
- 1818 — Illinois. Enabling act of Congress ordinance of Illinois accepting enabling act, and resolution of Congress declaring admission, all 1818. Later constitutions, 1848 and 1870.
- 1818 — Connecticut.
- 1819 — Maine. Cession of Maine by the State of Massachusetts, and act of Congress declaring admission, 1820.
- 1819 — Alabama. Enabling act of Congress and resolution for admission, 1819. Later constitutions, 1865, 1867, 1875 and 1901.
- 1820 — Missouri. Enabling act of Congress, 1820; Congressional resolution for admission, and President's proclamation for admission, both 1821. Ordinance of the convention of Missouri, 1861-1863; and later constitutions, 1865 and 1875.

- 1835 — Michigan. Enabling acts of Congress, 1836; act for admission, 1837. Later constitution, 1850.
- 1836 — Arkansas. Enabling acts of Congress and ordinance of acceptance by Arkansas, 1836. Later constitutions, 1864, 1868 and 1874.
- 1838 — Florida. Enabling act of Congress, 1845. Later constitutions, 1865, 1868 and 1885.
- 1842 — Rhode Island.
- 1845 — Texas. Joint resolution for admission, 1845. Later constitutions, 1866, 1868 and 1876.
- 1846 — Iowa. Enabling acts, 1845; Congressional act for admission, 1846. Later constitution, 1857.
- 1848 — Wisconsin. Enabling act of Congress, 1846; Congressional act for admission, 1848.
- 1849 — California. Congressional act for admission, 1850. Later constitution, 1879.
- 1855 — Kansas. Congressional act for admission, 1861. Later constitutions, 1857, 1858 and 1859.
- 1857 — Minnesota. Enabling act of Congress, 1857; and act for admission, 1858.
- 1857 — Oregon. Congressional act for admission, 1859.
- 1861 — West Virginia. Congressional act for admission, 1862; President's proclamation for admission, 1863. Later constitution, 1872.
- 1864 — Nevada. Enabling act of Congress and President's proclamation announcing admission, both 1864.

The following principles were established during the period of development of the State constitutions from

1800 to 1865: The framing of new constitutions by special conventions called for the purpose and their subsequent ratification by popular vote; universal manhood suffrage in most of the States, instead of the property qualifications formerly prescribed for voters; the election of governors by the people instead of the legislatures and, in most States, the election of the judiciary by the people; the veto power granted to the governors to a limited extent (commencing with the Massachusetts constitution of 1780, which gave the legislature power to overrule the vote by a two-thirds vote); and the introduction into the constitution of various provisions which formerly might have been enacted by the legislature as statute laws.*

* The text of the various constitutions mentioned above will be found in B. P. Poore, *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the United States* (Washington, 1876); F. N. Thorpe, *The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the States, Territories, and Colonies*, issued as *House Doc.* 397, 59th Congress, 2d session (7 vols., Washington, 1909).

CHAPTER V.

1789-1865.

ACTIVITIES OF THE FEDERAL GOVERNMENT IN REGULATING COMMERCE AND INDUSTRY.

Commerce and the Constitution — The cost of a merchant marine — Growth of the tariff — Treaties with foreign nations — Federal encouragement of agriculture — The pension system — The Post Office — The patent office — Financial regulations — The Homestead act — Government aid in railroad development.

The need of a system for regulating commerce among the States themselves as well as with foreign countries was one of the prime causes of the formation of the original thirteen States upon a Federal basis in March of 1789. The first Confederation of 1781 was a loose federation of sovereign States, it had no control of commerce, no power to tax, and was wholly dependent on contributions from the States. The power to tax imports was possessed by the seaboard States alone.

Discriminating duties were levied by most of the colonies upon British imports, which varied from 5 to 100 per cent.; and as some of the States admitted such goods free of duty, British goods flooded the country through the free ports. To complicate matters, the States waged commercial war on each other. It became evident that the newly-formed United States could not long continue a nation without a power that should pervade the whole United States as effectually as the authority or State

governments extended over the several States.

The Constitution of 1789 gave Congress power to regulate commerce with foreign nations and among the several States, the only restriction being that all duties, imposts and excises be uniform in all of them. The measure of centralized authority possessed by Congress was the measure of the loss of sovereign authority possessed by the States individually. Congress, in its own sphere, possesses all the powers possessed by the States before the adoption of the Constitution, which powers it may exercise without any restrictions save those prescribed by the Constitution.

The population of the United States in 1789 was under 4,000,000 and the settled area was a strip along the Atlantic coast. There were few manufactures, the most important interests being shipping in New England and agriculture in the Middle and Southern States. Unable to supply the needs of civilization by wares of our own manufacture, an active commerce

with England sprang up, which country was but too glad to find a growing market for her goods in the United States.

Early protection was concerned more with navigation than with industry. The Navigation Act of 1789 gave preference in the United States ports to vessels built or owned by American citizens. Such ships were to pay 6 cents per ton, but vessels built in the United States and owned, wholly or in part, by foreigners paid 30 cents a ton, while vessels built and owned abroad paid 50 cents a ton. In 1790 a discriminating duty of 10 per cent. was levied on importations in foreign vessels. In the coasting trade American vessels were to pay tonnage tax once a year, while foreign vessels were to pay it on every entrance into an American port. Finally, foreign vessels were absolutely interdicted from engaging in the coasting trade. In 1790 an Act was passed for the government of American seamen, and a special tax of 50 cents a ton was levied on vessels as lighthouse money.*

In 1810, when the United States had only 7,000,000 people, thanks to these discriminations and to the possession of unlimited timber, skilled workmen and enterprise, it had the second largest clipper fleet in the world and carried 90 per cent. of the world's ocean commerce, as compared with 9

per cent. of its commerce to-day. In 1828 the first of a series of unpatriotic and supremely foolish navigation acts was passed by Congress by which we threw open our foreign trade to ships not under the American flag. This was caused by the fear that foreigners would retaliate against discrimination in favor of ocean-going American vessels by taxing goods sent them in such bottoms. Immunity from an international trade war with the possible loss of foreign markets is purchased at the cost of an American merchant marine and an annual gift to foreign countries of \$1,000,000,000 which is thus accounted for: In freight and passenger rates we pay foreign shipping \$300,000,000; we donate a permanent gift of the \$500,000,000 expended in the last hundred years in improving our harbors, dredging channels, erecting light-houses and establishing a coast guard for shipping that is nine-tenths foreign and one-tenth American; and the \$300,000,000 in tolls to be paid the Panama Canal by foreign ships on goods landed on American soil, for which the American people will be promptly charged in the cost of the goods. This loss of \$1,000,000,000 a year affects the most secluded farmer as well as every city resident.

Our commercial position in the early days of the Republic was not strong enough to permit of the tariff being used as a weapon of retaliation against high foreign tariffs. On the other hand, in articles requiring a

* For the proceedings and debate in Congress on this subject, see vol. iv., of this History, p. 91 *et seq.*

high degree of technical skill and complex organization, the United States was at a distinct disadvantage. Hence the prime necessity of protecting our infant industries from the ruinous competition of foreign goods. The first tariff act of 1789 was framed solely to secure revenue for the Government. The general scale of duties was lower than in foreign countries, and an assorted cargo paid an average tariff of 7.5 per cent. The tariff was not seriously affected by protectionist ideas until 1815, as the distance from Europe and the high freight rates were in themselves additional protection.*

The expansion of American commerce received a serious setback by the English Orders in Council in 1804 and 1806 declaring the European ports from the Elbe to Brest to be in a state of blockade and neutral vessels trading with such ports liable to capture. Napoleon retorted with the Berlin Decree of 1806, declaring the British Islands in a state of blockade and forbidding all to trade with them. This was followed by other British Orders in Council in 1807, which declared all ports belonging to France and her colonies or allies to be in a state of blockade also. In answer to this, Napoleon issued the Milan Decree in 1807, which declared every ship sailing to or from Great Britain

or her colonies a good prize. The United States, as the only neutral carrier of importance, felt the full force of these decrees. In a few years 1600 American vessels were captured by British, French, Spanish, Danish, and Neapolitan war vessels and privateers, causing a loss of \$60,000,000.

The United States retaliated with the Embargo Act of 1807, which prohibited American vessels from sailing to any foreign port. They could engage only in the coasting trade. The effect of this measure was disastrous upon our foreign trade. In a single year exports fell from \$108,300,000 to \$22,000,000, while 100,000 men were thrown out of employment and merchants and farmers were forced into bankruptcy. So strong was the opposition that Congress was compelled to repeal the noxious measure and the Non-Intercourse Act of 1809 was substituted therefor, which removed restriction from all countries except England and France.*

American commerce, suffering from the attacks of enemies abroad and the restrictions of friends at home, could not recover the position reached before the Embargo Act, and declined still further after the declaration of the War of 1812. During the war, intercourse with England was prohibited and all import duties were doubled. But, as foreign trade had practically ceased to exist, this did not increase the revenue.

* The legislative history of these tariff acts is given in previous pages of this History. For references see the Index under *Tariff, Commerce, etc.*

* See Volume V. of this history for details.

The war tariff of 1812 doubled and trebled the duties on imported commodities. Imports and exports rapidly declined. During the three years of the war, 513 privateers commanded by United States citizens captured 1300 British vessels. Congress allowed a rebate of one-third import duty on captured goods. The first two years of peace were very prosperous for the shipping interests, the total volume of trade in 1816 being ten times that of 1814. But the protective tariff discouraged importations, and by 1821 foreign commerce shrunk to the volume of 1816.

The American industries that had sprung up during the period of the Embargo and Non-Intercourse Acts and the War of 1812, were protected by the tariff of 1816 and later tariffs, on the ground that they were infant industries and needed the fostering care of the Government. The fundamental principles of American tariff legislation include, in addition to the protection of industry, the rights of vested interests, the development of the home market, the undesirability of pauper labor, as well as making the tariff of revenue. The Northern manufacturers, having tasted the fruits of protection did not long remain satisfied with the tariff of 1816. They clamored for more protection and successive acts extended the protective policy.

The business crisis of 1819 greatly curtailed business, but, worst of all, Congress substituted reciprocity for

the discriminating duties that had hitherto protected American vessels against English competition. The first phase of American reciprocity characterized the treaty of 1785 between Prussia and the United States, having "the most perfect equality and reciprocity" in all matters of commerce for its basis. In 1815 a reciprocity treaty between the United States and Great Britain modified the provisions of the Navigation Act of 1789, enacting that "no higher tariff or other duties, or charges, shall be imposed in any of the ports of the United States on British vessels, or their cargoes, than those payable in the same ports by vessels, including their cargoes, of the United States, nor in the ports of any of His Britannic Majesty's territories in Europe on the vessels and cargoes of the United States than shall be payable in the same ports on British vessels or their cargoes." This phase of reciprocity applied only to the direct trade between the contracting parties, while discriminating duties still governed the trade relations of the United States with the British possessions in the West Indies and North America.

Another phase of American reciprocity was exhibited in the law of 1828, in which reciprocity in tonnage duties was extended to include the indirect, or West Indian, trade between the United States and Great Britain. This principle of reciprocity in indirect as well as direct trade was extended by proclamation to other coun-

tries and became a general policy governing our trade relations with foreign countries until the outbreak of the Civil War.

About this time the principle of reciprocity began to be prominent in connection with the modification of customs duties. None of the earlier treaties meant reciprocity in the modern sense of the term. In 1844 Mr. Wharton, our minister to Germany, negotiated a reciprocity treaty with the German Zollverein, but the Senate rejected it on the ground that Congress and not the Executive was the proper body to regulate commerce. In 1854 the Senate agreed to the famous reciprocity treaty with Great Britain, which led to a rapid increase of trade between the United States and Canada. This treaty was terminated in 1866.

In our treaty relations with France, the treaty of 1778 was abrogated in 1798. Two years later Napoleon concluded a treaty of commerce and navigation in which the commerce of the two countries was placed on a basis of reciprocity, as far as tonnage dues and duties were concerned. Napoleon's Berlin and Milan decrees strained our commercial relations with France, but a new treaty in 1822 placed the shipping interests of the two countries on a common basis, and the treaty of 1831 only slightly modified the earlier one.

The treaty of 1785 with Prussia provided reciprocal duties and tonnage dues, and was a model of its

kind. It expired in 1815, but in 1828 a new treaty was made guaranteeing reciprocal liberty of commerce and declared that there should be no discriminating duties on the vessels of either country. Similar treaties were signed with Hamburg, Bremen, Lubeck, Sweden, Norway in 1827, Austria in 1829, Russia in 1832, Portugal in 1840, Holland in 1839 and 1852, Belgium in 1845, 1858, and 1875, Switzerland in 1855, and with Italy in 1871. In 1833 a favorable commercial treaty was made with Siam. Trade with China was developed by the treaties of 1844 and 1858, and with Japan in 1854.

Commercial relations with Mexico and the Central American and South American States have been facilitated by treaties made with the following powers: Colombia, 1824; Argentine Confederation, 1827; Chile, 1832; Peru, Bolivia and Venezuela, 1836; Ecuador, 1839; Mexico, 1848; Guatemala, 1849; San Salvador, 1850; Costa Rica and Peru, 1851. These treaties simply insured freedom of commerce and navigation without any special privileges.

Reverting to tariff history, the tariff of 1818 extended the protective policy, granting protection to the iron industry and extending the 25 per cent. duty to cottons and woollens. In the tariff of 1824 the list of protected goods was greatly extended and the general average of duties was 37 per cent. Agitation for still greater protection, headed by the woolen manufacturers, led to the passage of the tariff act of

1828 with an average of duties of 44 per cent. It caused bitter opposition in the South, culminating in the nullification program of South Carolina, and gave way to the compromise tariff of 1833, which provided for a gradual recession of all excess over 20 per cent. until the year 1842, when a horizontal rate of 20 per cent. *ad valorem* should be allowed.

Within six years after the passage of this act the public revenues had fallen off 25 per cent. and the country entered into one of the worst panics ever experienced, the famous panic of 1837. This lasted with increasing intensity until after the passage of the protective tariff of 1842. The next four years witnessed a period of unexampled prosperity, but the Democratic party in 1846 enacted the Walker bill, giving a moderate protection to industry and coming to be largely regarded as a free-trade measure. In ten years, being forced to borrow money, the Government enacted the measure of 1847 that provided a further reduction of 5 per cent. Too much speculation, too much railroad building, too much capital invested in manufacturing plants, too great an expansion of bank credit, followed by a sudden contraction and aided by a loss of protection to the home market, precipitated a severe panic.

The Morrill Tariff of 1861 restored duties to the level of the tariff of 1846. Under the stress of the Civil War the necessity for raising large

revenues to conduct the war revolutionized the financial methods of the Government. The heavy internal revenue duties levied by the internal revenue acts of 1862 and 1864 were offset by the higher imposts on imports. The tariff act of 1862 raised the rates to an average of 32 per cent. while that of 1864 raised the rates to an average of 47 per cent. As war measures these acts passed without criticism.

Washington, in his last message to Congress, advocated the establishment of a governmental department that would further the development of agriculture. Our Farmer President knew how vital intelligent, not to say scientific, agriculture is to the well being of a nation. The subject was discussed for many years, but nothing was done until 1832, when Congress appropriated \$1,000 to be devoted to the purchase of seeds and plants under the direction of the Patent Office. The appropriation was increased as the work became popular and in 1862 the Bureau of Agriculture was organized, when also agricultural colleges were established on a foundation of land-grants and the gospel of progressive farming was fully launched on its mission, contributing enormously to the welfare of the people.

The United States, in common with all civilized nations, believed that all persons disabled in the course of military or naval service should be provided for at the public expense. In 1776 the first step in establishing a

pension system was taken by Congress, when military officers were offered a pension of half pay for seven years after the close of the Revolutionary War. The provisions of the act were extended in 1780 to the widows and orphans of officers who lost their lives in defence of the country. Non-commissioned officers were to receive a specific reward of \$80 at the conclusion of the war. This measure was unsatisfactory to the officers, and in 1780 an act was passed granting half pay for life to all officers who served till the close of the war. In 1806 a general system of pensions was framed, and in 1808 the United States assumed all state pension obligations. The principle was settled that all veterans, whether regulars, militia or volunteers, should be pensioned. In 1818 an act was passed granting pensions to all in need of assistance who had served in the Revolutionary army for 9 months, or longer, at any period of the war. Thus the principle of granting assistance only to those who were disabled by wounds, disease, or ailments induced by captivity, was set aside in favor of a specified term of service and the poverty of the claimant. This immediately opened the door to fraud, and 30,000 persons applied for relief, a number greater than Washington's army contained at any one time. After investigation this number was scaled down to 18,000 and the pensions paid involved an annual outlay of \$2,000,000. In 1832 the provisions of the pension laws were

extended to apply to other wars, and were made to include military service wherever rendered. The tendency of the laws passed between 1832 and 1860 was to substitute for a strictly defined system one permitting extensive frauds, due to the false political maxim that "to the victors belong the spoils." The Civil War gave rise to extensive pension legislation that became a device for securing votes. The laws of 1862, 1864 and 1865 and subsequent measures made provision for those who had suffered, directly or indirectly, in active service, and at the same time the laws have been used to make provision for thousands who never saw any active service. While it is no condemnation of the pension system that great frauds have arisen in the application of its bounty, it is demoralizing and wholly unjust that laws having so beneficent an intent should be made to cover wholesale fraud and robbery. For the year ending June 30, 1866, there were filed 65,256 applications for pensions, of which 50,177 claims were allowed, on which \$15,450,550 was paid.

The Post-Office is the only important business enterprise conducted by the National Government. The object is not to make money, but to give the best possible service at cost. This function of government, so essential to the business life of the Nation, has in fact been conducted at a loss for many years. In colonial times, in the absence of railways, the postal system was conducted in a primitive manner

and the rates were very high. In 1789 there were but 75 post-offices, or one for every 70,000 people, while at present there are about 90,000 post-offices, or one for every 1,000 people. The postal charges in 1792 varied from 6 cents for one sheet of paper carried 30 miles to 25 cents for a sheet 450 miles. To-day a letter is carried from Maine to Manila for 2 cents, while the foreign postage to England and Germany costs no more. The Post-Office carries letters, post cards, parcels, newspapers and periodicals, and money in the form of postal money orders. The registry service was established in 1855, 8 cents in addition to the regular postage being charged until recently, when the rate was raised to 10 cents. Money value to the extent of \$50 was insured. In 1863 free delivery was established in towns of 50,000 and over.

The patent system was provided for in the Federal Constitution, and the patent law of 1790 has proved one of the best measures ever devised for the development of the country. The first patent commission consisted of the Secretary of State, the Secretary of War and the Attorney-General. Later the Secretary of State was appointed as head of the system. The Patent Office forms a continual incentive to American ingenuity, with the result that two-thirds of the National wealth is the product of inventions. Although the individual colonies had granted patents prior to the Revolution, the first Federal patentee was

Samuel Hopkins, who received a patent on July 31, 1790, for a new process of making pot and pearl ashes. Any person can obtain the exclusive right to make articles similar to his invention for a period of 17 years, provided the device is not already patented.

The United States has a bi-metallic system of currency, and in 1792 Congress established a legal ratio between gold and silver, enacting that one ounce of gold equals in value fifteen ounces of silver, and that consequently, $24\frac{3}{4}$ grains of gold or $371\frac{1}{4}$ grains of silver, if presented at the mint, would be coined into dollars. The market ratio may not at any given time equal the legal ratio, but it is the business of the legal ratio to accommodate itself to the market ratio. In 1834 the ratio was changed to 16 to 1, which was higher than that of the market. The silver dollar still contained the same amount of pure metal, but the gold dollar was reduced to 23.22 grains fine. After 1850 the discovery of gold in California so increased the supply of the precious metal that an ounce of gold sold for less than $15\frac{1}{2}$ ounces of silver. In 1853 Congress made silver coins of denomination smaller than \$1 lighter than they had been, provided that the Government might buy the silver and coin it.

The Bank of the United States was chartered in 1791, and its notes were everywhere received as equivalent to specie. Its success caused the busi-

ness interests of the country to rally to the support of the Government. But it soon after came under the blight of politics and was denounced by the partisans of the State banks as un-American, and the bill to charter it failed by a narrow majority. Since that time American public finance has been in a disorganized condition and only the extraordinary prosperity of the country has concealed the vices of the system, which at intervals bring about unnecessary financial panics. The revenues of the United States are obtained from the tariff on imports, internal revenue taxes, revenues from domains, revenues from public industries, inheritance taxes, fees such as patent office fees, consular fees, steamboat fees, copyright fees, passports, etc.

During the Revolutionary War Congress tried to make money by the printing press, but the results were disastrous and the Constitutional Convention of 1787 disapproved of such action. During the Civil War, Congress in 1862 and 1863 passed three bills permitting the issue of \$450,000,000 in legal tender Treasury notes known as "greenbacks." They became worth much less than gold, drove coin out of circulation, and remained below par until the Government began to redeem them in gold on January 1, 1879.

In 1863 the National banking system was established, which put an end to the extraordinary looseness in legislation and administration of the

banking system prevailing hitherto. For the uncertainties of 7,000 varieties of State bank notes, issued by 1,500 private banks, was established a uniform currency whose redemption was guaranteed by United States bonds.

The exploitation of the National domain by planting settlers upon the unoccupied lands was a wise policy, first given practical shape by Andrew Johnson, of Tennessee, proposing a resolution in the House of Representatives in favor of giving every homeless citizen a portion of the National territory. Several times a homestead bill passed the House, only to be defeated in the Senate. On June 19, 1860, however, both the House and Senate agreed to support a bill that would give any citizen of the United States, being the head of a family, a quarter section of unoccupied land, provided he would settle thereon; and title could be had to same after a proved residence of five years. This bill was vetoed by President Buchanan. Finally a homestead bill was passed in 1862, without opposition in either House, and received the signature of Abraham Lincoln. The opportunity to get land without money attracted hundreds of thousands of emigrants from Europe. Between 1860 and 1870 over 1,500,000 emigrants arrived in the United States.

With the close of the Civil War, the expansion of trade and commerce made it imperative that transporta-

tion facilities should be provided for the development of the West. The lack, both of population and of organized State governments, and the enormous distances to be covered meant bankruptcy for railroad enterprises unless they were assisted by the Federal government. The railroads built during the first 30 years of railroad history simply followed the lines of trade and population, but now a new problem faced the railroad builders. By enactments of 1862 and 1864 Congress chartered the Union Pacific Railroad Company and authorized the building of a road from Omaha west to Ogden, there to join the tracks of the Central Pacific terminating in San Francisco. Branch roads to

Sioux City, St. Joseph, Leavenworth and Kansas City were projected also, and, to assist in paying the cost of construction, the railroads were given, as grants of land from the public domain, alternate sections of land within a tract 20 miles in width on each side of the roadbed. The acts referred to gave away 23,500,000 acres to private corporations. Congress further aided these enterprises by guaranteeing both the principal and interest of bonds issued by the companies to the amount of \$65,000,000. The Congressional land grants to railroads within 10 years following the grants to the Union Pacific aggregated the enormous total of 215,000,000 acres.*

CHAPTER VI.

1789-1865.

STATE AND LOCAL GOVERNMENT ACTIVITY IN REGULATING COMMERCE AND INDUSTRY.

General nature of colonial trade regulations — The New Amsterdam ordinances of 1647 — New England and other trade regulations — The futility of the Navigation Laws and other measures — Massachusetts' attempt to fix wages and prices of commodities — State regulations of trade at the time of the Revolution — The Constitution's purpose to curb this policy — State resentment of Federal restraints of trade — The National government's withdrawal from the field of internal improvements after 1838.

Broadly speaking, there was very little disposition in the colonial period on the part of either State or town to interfere with individual initiative or activity in business affairs. Neither encouragement nor restraint was much considered. The economic needs of the new communities were generally

sufficient to stimulate enterprise, and there was comparatively little opportunity for anyone to overstep the bounds of legitimate business activity

* Katherine Coman, *The Industrial History of the United States* (New York, 1905); Clive Day, *A History of Commerce* (New York, 1907); F. W. Taussig, *A Tariff History of the United States*

to the point of public disadvantage. There were exceptions to this rule, but these were sporadic and dealt mostly with things of small moment. In the beginning it was sometimes necessary to encourage enterprise in the direction of specific manufactures by giving small bounties, generally in the shape of land grants but sometimes in money. Before the end of the first century of American settlement practically every one of the colonies had passed laws providing for bounties or duties designed to regulate trade and industry. For example, seven of the colonies offered bounties to stimulate the growth of wool and flax and the manufacture of those staples into cloth. Bounties were offered also for the production of silk, paper, iron and fire-arms. In legislation of this sort the colonists naturally followed the example of Great Britain, which long held to and applied this method of encouraging its home industries and, within restricted lines, the development of its colonies. But neither these bounties nor the import or export duties which were now and then imposed in addition to those levied by England, were part of any systematic

or permanent policy. They were generally calculated to meet some pressing need of the hour and were repealed when that exigency ceased to exist.

In a small way, however, from the time of the first settlements, enactments in restraint of the fullest freedom of trade were considered advisable. No sooner had the emigrants arrived than some of them began to exploit the country without overmuch consideration for the interests of their home-land and of their fellow citizens. Colonial records abound in relations of this sort and with accounts of petty legislation, state and municipal, designed to control and regulate unscrupulous merchandizing.

In New Amsterdam a large part of Director-General Stuyvesant's famous municipal ordinances of 1647 related to small business practices that were condemned as detrimental to the general good of the community. Many stringent restrictions were placed upon the liquor traffic, and brewers were forbidden to "tap or sell beer by small measures," which was held to be an interference with the retail innkeeper or tapster. Bakers were forbidden to sell white bread to Indians on penalty of losing their bread and having to pay a fine, because a practice had sprung up of selling the white bread outside the town at a high price and giving the community only the cheaper black bread. The price and weight of loaves was fixed. No inhabitant was permitted to kill cattle

(New York, 1893); William C. Webster, *A General History of Commerce* (Boston, 1903); George Myatt Fisk, *International Commercial Policies with Special Reference to the United States* (New York, 1907); Leslie Mortimer Shaw, *Current Issues* (New York, 1908); Ernest Ludlow Bogart, *The Economic History of the United States* (New York, 1908); Rosecoe Lewis Ashley, *The American Federal State* (New York, 1908); Frederick J. Haskin, *The American Government* (Philadelphia, 1912).

or hogs for himself or to import salted meat without first paying a duty to the "farmer of the slaughter excise." It was found necessary also to restrain traders who brought goods from Europe and sold from their ships, to the detriment of local merchants. Therefore it was enacted that "henceforth all merchants, Scots and small traders who come over in the ships from the Fatherland and intend to trade here * * * shall not be allowed to do any business in the country unless they remain in New Netherland for three consecutive years and besides build here in the city of New Amsterdam a decent burgher's dwelling house." *

In New England the prices at which corn and beaver skins might be sold were fixed by law, as were also the price of labor and the wages of mechanics. Prior to 1635 there were statutes restraining buyers from boarding ships so as to get advantage over their less alert competitors, and limiting traders' profits to 4 pence on the shilling. †

Ordinances and statutes of similar character existed in all the other colonies. For the most part these were in the nature of police regulations for the general welfare of the community, such as in more modern times have been vested in the boards of health and other like bodies, state

and municipal. Some of them, however, were distinctly in restraint of trade. None was of great magnitude, for the interests which they affected were small and mostly local. But they are interesting now as showing that the regulations adopted in the conduct of business from the very outset were not unlike those found necessary in modern times.

Of more moment were the Navigation Laws, which for over a hundred years England endeavored to impose upon the colonies and which were a prime cause of the Revolution. These were avowedly designed to encourage shipbuilding in America and to discourage American commerce, to the advantage of that of the mother country. In the same class were the timber laws, which interdicted the cutting and exporting of timber from specified king's lands. Accompanying these were the laws of England in restraint of colonial manufacturing, so that manufacturers at home might not be interfered with, but might continue undisturbed in their established pursuits — an early instance of the assertion of "vested rights." The failure of all these laws to accomplish their objects is something to the point. Their most notable result was to drive many of the colonists into smuggling and various subterfuges to circumvent the law.

Prior to the settlement of America there were offences against freedom of trade recognized by the English law as such. These were known as fore-

* Berthold Fernow (ed.), *The Records of New Amsterdam*, vol. i., p. 10.

† W. B. Weedon, *Economic and Social History of New England*, vol. i., pp. 97, 118.

stalling, regrating, engrossing and monopolies; and they constituted crimes. Forestalling meant getting control of merchandise or provisions before they reached the market with the intention of shutting out other purchasers waiting in the market. Regrating was buying or controlling provisions in the market for the purpose of selling at increased prices in the same or a nearby market. Engrossing was buying or contracting large quantities of provisions — even grain in the field — for purposes of speculation. Monopoly was much the same offence in general branches of trade that engrossing was in provisions. These practices were condemned and punished in limited ways by the colonists, but they do not appear to have been recognized as offences in early American law. “The weight of authority is overwhelming, that the ancient English statutes which established prices, and which made crimes of mere efforts to enhance prices, never formed part of our law.” *

There were a few exceptions to this rule. During the Revolution there was a great rise in wages and prices of merchandise, and in 1778 the New York legislature passed an act fixing wages of farmers, mechanics and teamsters, the prices of American manufactures, of hemp and wool, of European goods, woolen cloths, rum, sugar, and other goods; and fixing profits of traders, retailers and vendors. This act re-

mained in effect less than a year. In 1776 the States of New England in convention united for similar action. Following the recommendation of the convention, the legislature of Massachusetts in January of 1777 passed a statute entitled “An act to prevent Monopoly and Oppressions.” In this act the prices of labor and of many articles of food and clothing were fixed, the prices of goods, and merchandise imported into the State were established, and a section was added to the law giving to consumers the right to buy at the prices fixed by law.* A later act reaffirming and strengthening these provisions was passed in May of 1777.† In the same year Massachusetts and New Hampshire passed laws prohibiting the export of rum, molasses, cotton or woolen goods, wool, leather, and other necessary articles. Under these acts outgoing vessels were occasionally searched for contraband goods.

The futility of these measures was obvious almost before the ink was dry on the statute books. In October of 1777 the Massachusetts legislature repealed both the act of the preceding January and that of May. The new statute (Chapter VI of the Province Laws 1777-1778) declared that “the several acts to prevent monopoly and oppression made the present year have been very far from answering the salutary purposes for

* Albert Stickney, *State Control of Trade and Commerce by National or State Authority*, p. 96.

* *The Province Laws of Massachusetts*, 3d session, 1776-1777, chap. xiv.

† *Ibid.*, 4th session, 1776-1777, chap. xlv.

which they were intended." In a letter of May 14, 1777, Governor Nicholas Cooke, of Rhode Island, bore testimony to the same effect, referring to the fact that the "late Acts passed by the several Legislative Bodies of the New England States" had not been carried into execution, and adding: "this little State hath exerted itself in some measure by prosecuting Persons who have transgressed that Law; but in vain can she alone, put in Execution a matter upon which so much depends. The Consequence hath been an almost entire stop of vending the necessary Articles of Life."

When the colonies had become States there was in all of them a considerable tendency toward legislation in restraint of trade and commerce, directed mostly against each other. The framers of the Constitution recognized this as a threatening danger to State comity. Hamilton in *The Federalist** wrote: "The interfering and unneighborly regulations of some States, contrary to the true spirit of the Union have, in different instances, given just cause of umbrage and complaint to others." The States unanimously yielded much of this power when they placed the provision in the Constitution that "Congress shall have power * * * to regulate commerce * * * among the several States." As the years went on and trade and commerce developed, there was plenty of dissatisfaction with this

provision of the Constitution, but subsequent State legislation in this field was practically all intra-state. Even in the latter respect comparatively little was attempted or even considered until long after the middle of the Nineteenth century.

Measures to define the offence of conspiracy were almost the only efforts in this direction in that period. During the first half of the century several States enacted statutes of such a character. A New York legislature in 1830 passed an act in which conspiracy was defined as the combining of two or more persons "to commit any act injurious to the public health, to public morals, or to trade or commerce."* A few cases were brought to court under this law and similar laws in other States. On the whole, however, State legislation on this subject was comparatively of little account until after the close of the Civil War, because as yet little need for it had arisen. During the eighty years of Federal existence, the doctrine of *laissez-faire* had generally prevailed as regards industrial enterprises. The country was not inclined to look with favor upon any interference by the National government, for, despite Chief Justice Marshall, a broad, strong Nationalism was very generally feared, while State rights were tenaciously adhered to and vigorously defended. And the States were of themselves inclined to the let-alone

* *Revised Statutes of New York* (1882), vol. iii., p. 2516.

* Letter xxii.

policy. It was a period of planting and development, and the thought uppermost in the minds of all was to encourage in every possible way every enterprise promoting industrial expansion and the enrichment of the community. The most that can fairly be said of the legislation and court decisions of the time is that, following English common law (and in a measure English statute law) and American colonial precedents, they affirmed the power of the State over business interests, for the public welfare and the right of the States to exercise that power when need might arise.

A very conspicuous exception to the general let-alone policy of this period was the substantial support which was given by nearly all the States to measures for internal improvements. Prior to 1807 the urgent demand for improved transportation between the different parts of the country was met by private enterprise backed by State aid. Between 1807 and 1838 Federal aid was given to the building of the famous Cumberland turnpike road, but thereafter Federal appropriations for such enterprises were discontinued on the ground of unconstitutionality. State support for banks, canals, turnpike roads and other enterprises was so generous between 1787 and 1837 that the aggregate bonded indebtedness of all the States for such purposes was \$170,806,187. The financial panic of 1837 put a stop to this subsidizing practice, and some of the States even repudiated the debts

which had been incurred by them. Nearly all State constitutions adopted after this date contained a provision prohibiting the use of State funds or credit for internal improvements. Later on, however, when the railroad era began, several of the States made investments in railroad corporations, and counties and towns also bonded themselves to encourage the laying of rails. In several instances, Massachusetts for example, the State retained its interest in railroad property until the next century.*

* Arthur T. Hadley, *Railroad Transportation* (New York, 1885); Albert Stickney, *State Control of Trade and Commerce by National or State Authority*; William D. P. Bliss (ed.), *Encyclopedia of Social Reform* (New York, 1897); *The Acts and Resolves Public and Private of the Province of Massachusetts Bay* (2 vols., Boston, 1883); E. B. O'Callaghan (ed.), *Documents Relative to the Colonial History of the State of New York* (11 vols., Albany, 1856-1861); W. J. Ashley, *The Commercial Legislation of England and the American Colonies, 1660-1760*, in *Quarterly Journal of Economics* (1899); William B. Weedon, *Economic and Social History of New England, 1620-1789* (2 vols., Boston, 1890); Berthold Fernow (ed.), *The Records of New Amsterdam* (7 vols., New York, 1878); Philip A. Bruce, *Institutional History of Virginia in the Seventeenth Century* (2 vols., New York, 1910), and *Economic History of Virginia in the Seventeenth Century* (2 vols., New York, 1896); *The Colonial Laws of New York from the Year 1664 to the Revolution* (5 vols., Albany, 1894); W. Hill, *Colonial Tariffs*, in *Quarterly Journal of Economics* (1892); E. L. Bogart, *Economic History of the United States*; J. J. Lalor (ed.), *Cyclopedia of Political Science, Political Economy and of the Political History of the United States* (3 vols., Chicago, 1881); John Bach McMaster, *History of the People of the United States from the Revolution to the Civil War* (7 vols., New York, 1885-1910); Frank Hendrick, *Railway Control by Commission* (New York, 1900); James Edward LeRossignol, *Monopolies Past and Present* (New York, 1901); statutes of the several States.

CHAPTER VII.

1789-1865.

INTERNAL IMPROVEMENTS.

Internal improvements in pre-Revolutionary times — Beginning of systematic road-building — Establishment of the Republic and the need of inter-state communication — Road-building in the early years of the Republic — The Government's activities in internal improvements after 1807 — Gallatin's recommendations — His plan to combine and extend existing canals and turnpikes — The multiplication of turnpikes — The Erie Canal and other important canals — Internal improvements *vs.* State indebtedness — Effect on internal improvement of the panic of 1837.

Internal improvements were not seriously considered during the colonial period. On general principles, the British government was opposed to anything which might tend to unite the colonies into a compact whole, caring only for measures to facilitate trade and the productiveness and profitableness of the separate colonies to the advantage of the mother country. The colonists on their part, alike for political and financial reasons, could not, by themselves, undertake extensive internal improvements. Until the Revolutionary period arrived each colony felt that it stood alone, politically dependent upon Great Britain, and that it was in no position to enter upon any enterprises of extra-territorial nature. On occasions they allied themselves, more particularly in the North, in military coöperation against the common enemy — the French and the Indians — but beyond this their united efforts did not extend very far before the approach of the Revolution.

Corduroy roads were built in the South in the latter part of the Seventeenth century, and wagon road traffic was instituted between the Potomac River and Philadelphia in 1695. Immediately before and in the years following some systematic efforts were made toward road-building and the colonial legislatures passed road laws. In Maryland in 1739 the Monocacy road extending to Philadelphia was laid, and this was one of the first inter-colonial wagon roads in America. Virginia built a State road across the Appalachian Mountains before the middle of the Eighteenth century. This was a portage path between the Potomac and Monongahela rivers and was probably little more than a blazed trail. In 1768 the Assembly of Virginia authorized a road from the upper branch of the Potomac to Fort Pitt. In 1775 Daniel Boone established a road through the Cumberland Gap which became historically famous as the great thoroughfare to Kentucky and the West.

In the first years of the Republic a freer interstate communication than had before existed was demanded by social, political and commercial considerations. During the Revolution the comparatively isolated conditions of the different sections of the country formed one of the most serious difficulties the fighting patriots had to face; and the statesmen of the following period, impressed by the common experience of 1770-1783, realized the necessity of bringing the States into closer communion and inter-dependence as a fundamental condition of solid and enduring union. These views were particularly emphasized anew in the latter part of the century by the events of the western expansion into the newly-acquired public domain, and by the separatist tendencies, which manifested themselves not only in this expansion movement, but also in the more or less conflicting commercial and industrial interests of the older sections of the country.

Communication between the different States was then, as in the colonial days, either by long water routes in sailing vessels or by tedious land-journeys over local roads rudely built and, for the most part, non-continuous. Travel and transportation was by carts, coaches, wagons and pack-horses. The trips were slow and costly. By wagon from Philadelphia to Pittsburg was a twenty days' trip. The wagons were drawn by teams of four to eight horses who could draw

loads of four to six tons. The freight charges were \$2 per hundred pounds.

Improvement in the roads was considered as soon as the Republic was finally constituted. Turnpikes or toll roads, as they had long existed in England and as they had been begun in the colonies, were planned. Charters were granted to private corporations for the building and the maintenance of these roads. The first was constructed in 1790 and others followed in good number, principally in New England, New York and Pennsylvania. Within their somewhat limited scope, they very well served the purpose for which they were designed. Transportation and travel became easier and even cheaper, despite the high tolls. To haul goods from Philadelphia to Kentucky cost thirty-three per cent. of their value. Charges were as high as \$100 a ton per mile. Adam Seybert, one of our first government statisticians, recorded it as a great triumph at this time that "you may go from Philadelphia to Pittsburg in the stage, 310 miles, in five and a half days, and be lodged every night on the route."

The success which attended the first of these roads as public conveniences and as investments stimulated a wide and strong public interest in them. For numerous reasons, communities, businessmen and statesmen encouraged their construction and it was not long before the settled part of the country everywhere was well traversed by them. Foreign commerce

was springing up then, for Europe, involved in war, needed our agricultural products to feed its people. The problem of transporting corn, grain and other staples to the seaboard for shipment was difficult, but it was met as well as possible by the multiplication of the turnpikes. State aid was given to some of these enterprises, but for the most part they were carried out by private capital. Such was the rush to get into this business that in a few years "a sum almost equal to the domestic debt at the close of the Revolution was invested in the stock of the turnpike roads." Until 1807 private companies built all these roads mainly from Philadelphia to the West through gaps in the mountains. In 1807 the Federal government began its work upon the great Cumberland Road or National Pike from Washington to Vandalia, Illinois, but this was not completed for more than thirty years, after which the railroads were coming in to supplant it.

Internal improvements was the subject of a communication to Congress by Secretary of Treasury Albert Gallatin in 1808.* The Secretary presented full statements concerning the canals and turnpike roads then in existence and urged the necessity of improving them. Specifically, he recommended three great systems of internal improvements. The first was a hundred-mile canal along the Atlantic sea coast from Boston to South

Carolina and Georgia, crossing the narrow neck of Cape Cod and utilizing the Long Island Sound, the Raritan and the Delaware rivers, and the marshes between the Chesapeake and the Albemarle sounds. The second plan was for four roads, with several canals, for the purpose of connecting the Alleghany, the Monongahela, the Kanawha, and the Genesee rivers with the Susquehanna, the Potomac, the James and the Savannah rivers of the Atlantic seaboard. By the third plan it was proposed to connect the Penobscot, the Kennebec, the Connecticut, the Hudson and the Susquehanna rivers with the St. Lawrence River and the Great Lakes.

Before that time many interior canals, mostly short ones, had been constructed in Massachusetts, Delaware, Virginia, North Carolina, and Louisiana. The State of Virginia granted a charter for one to the James River Company in 1785, and before the Revolution Washington planned one to connect the Chesapeake and the Ohio rivers. All the local canals existing in 1808 Gallatin proposed to utilize and improve.

Turnpike roads multiplied. Some of these were merely dirt and quagmires in bad weather, others were substantially built of gravel or topped with broken stone. Between 1803 and 1808 in Connecticut alone 50 companies had built roads at a cost of from \$550 to \$2,280 per mile. Several roads in Massachusetts cost from \$3,000 to \$4,000 per mile. In New

**American State Papers, Miscellaneous*, vol. i. (Washington, 1834).

York within seven years 67 companies, with a capital of \$5,000,000, had been organized to build roads and 21 companies to build toll bridges. There were excellent roads in New Jersey, Pennsylvania and Maryland, costing from \$2,500 to \$14,000 per mile, but south of the Potomac there were comparatively few. There were good wooden bridges in Massachusetts and many fine stone ones in Pennsylvania.

Gallatin planned to combine some of these roads into a great turnpike extending from Maine to Georgia in the general direction of the seacoast and the Maine post-road, a distance of 1,600 miles. He calculated that all the needed canal and road improvements would cost \$20,000,000. It was a magnificent project for the time. Some of it was carried out within the next few years, but much was left for future generations to accomplish. The introduction of steamboats on the rivers presently turned men's minds in that direction, and next the railroads sprang up and put an end to the consideration of turnpike roads as transportation thoroughfares.

Not until after the War of 1812 was there any very important work in canal-building. The Erie Canal, the largest, most costly and most important artificial waterway of the country, connecting Lake Erie and the Hudson River, across the State of New York (a distance of 381 miles), was planned in 1810, begun in 1817, and completed in 1825. Its operation made New York the foremost port of the country for

the exporting of the products of the West sent across the Great Lakes and down the canal and the Hudson River. Other important canals of the next half-century, the years of their completion, and their length were: the Lehigh Coal and Navigation Company (Pennsylvania), 1821, 108 miles; the Schuylkill Navigation Company (Pennsylvania), 1826, 108 miles; the Miami and Erie (Ohio), 1835, 274 miles; the Ohio, 1835, 317 miles; the Morris and Essex (New Jersey), 1836, 103 miles; the Pennsylvania, 1839, 193 miles; the Illinois and Michigan, 1848, 102 miles; the Chesapeake and Ohio, 1850, 184 miles. Prior to 1860 the principal canals of the United States, beginning with the Dismal Swamp of 1822, were 28 in number, their total length being 2,359 miles and the aggregate cost of construction over \$155,000,000. On some of these additional amounts were spent in subsequent years, while some, on the other hand, were discontinued.

The indebtedness of many States had its origin in internal improvements. In 1820 the gross amount of State indebtedness was \$12,790,728; in 1830, \$26,470,417; in 1835, \$66,482,186; in 1838, \$170,000,000; and in 1840, \$200,000,000. Broadly speaking, somewhat less than one-third of this indebtedness was incurred in the State support of banks; the rest went mostly for canals, roads, and railways. Of the indebtedness of 1838, \$52,000,000 was for banks, \$60,000,000 for canals, \$43,000,000 for railways, \$6,000,000

for roads, and the rest for miscellaneous objects. Much of this money was borrowed from foreign capitalists. Connecticut, New Hampshire, Rhode Island, Vermont, Delaware, North Carolina and Georgia were the only States without debts.

The rush for internal improvements was stayed by the crisis of 1837. Many enterprises that had been undertaken in the preceding fifteen years had been wholly unnecessary and were extravagantly carried out. Much money had been sunk in them and, to make matters worse, some States repudiated their debts. Most of the works owned by the States were sold to private investors, the States withdrawing from the business. Agitation in favor of having the National government assume the debts of the States sprang up, but came to naught. As indicating the public opinion at the time, it should not be overlooked that in

nearly all the State constitutions adopted in that period, provisions were inserted prohibiting the use of State funds or the State credit for internal improvements. How completely this work was then suspended is shown by the decrease of State indebtedness in 1838-1840 to about 18 per cent. (9 per cent. a year) from the 105 per cent. increase in 1835-1838 (50 per cent. a year) and the 150 per cent. increase in 1830-1835 (50 per cent. a year). *

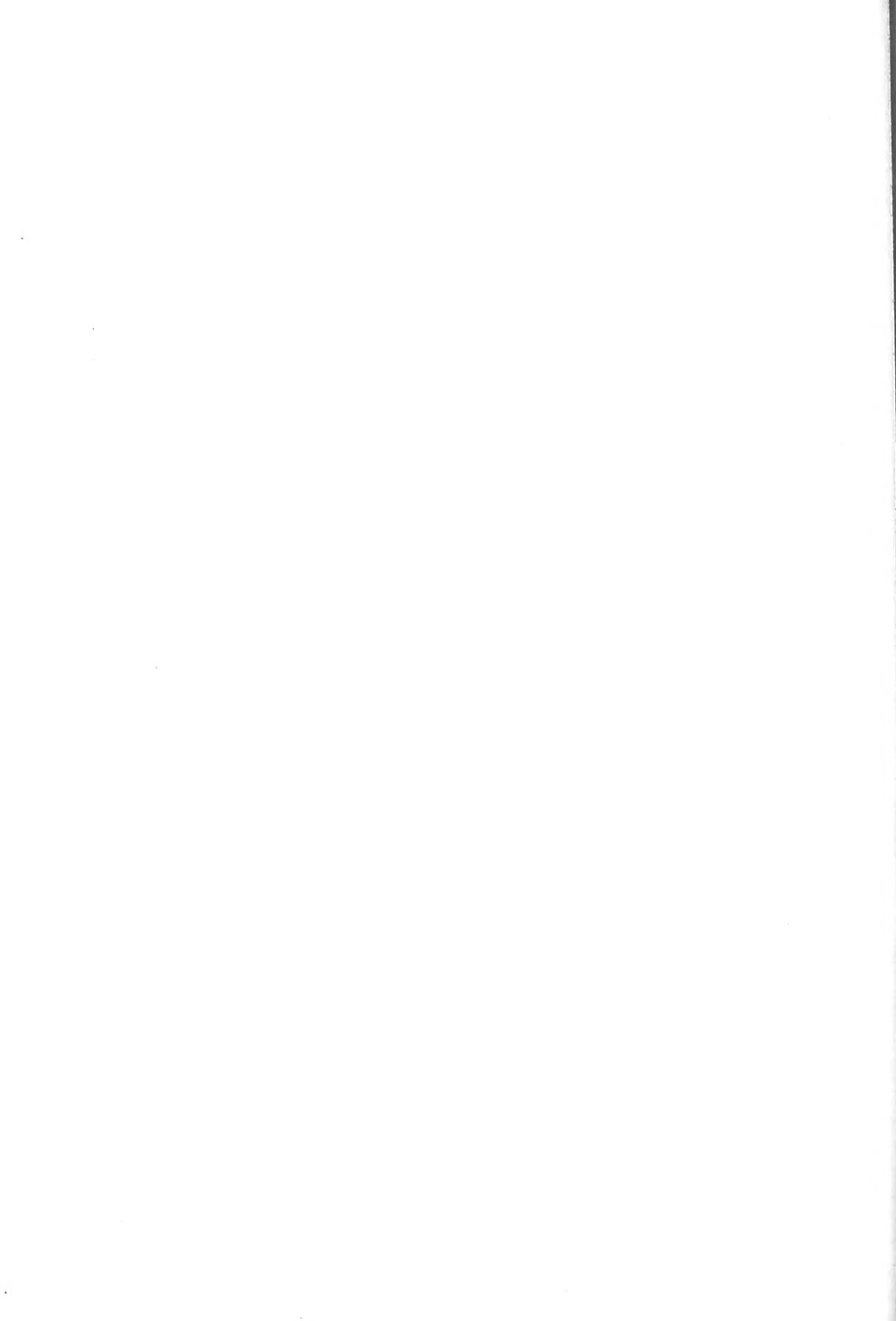
* Albert Gallatin, *Report of the Secretary of the Treasury on the Subject of Public Roads and Canals*, in *American State Papers, Miscellaneous*, vol. i.; Emory R. Johnson, *Ocean and Inland Water Transportation* (New York, 1906); *Preliminary Report of the Inland Waterways Commission* (Washington, 1908); *Report of the United States Industrial Commission* (19 vols., Washington, 1900-1902); A. R. Hulbert, *The Historic Highways of America* (15 vols., Cleveland, 1902-1905); J. L. Ringwalt, *Development of Transportation Systems in the United States* (Philadelphia, 1888).

SERIES SIXTEEN

LECTURES SEVENTY-ONE AND SEVENTY-TWO

The Reconstruction Era, 1865—1877

- 71. Early Reconstruction and the Impeachment of President Johnson
- 72. Internal Affairs



THE UNITED STATES

CHAPTER I.

1865.

SOCIAL CONDITIONS AFTER WAR: THEORIES OF RECONSTRUCTION.

Problem of status — Business revival in North — Corruption in government — Ruin in South — Suffering among whites and negroes — Confederate finances — Negro desertions — Military orders — Confiscation frauds — Religious organizations — Teachers sent from North — Irritating to South — Elements composing political parties — Lincoln's plan of reconstruction — Plans of Sumner, Stevens, Shellabarger, and others — Lincoln's plan in operation — Amnesty proclamation — "Ten per cent." governments — Lincoln's offer to pay for slaves — Movements in Maryland, Missouri, Arkansas, Kentucky, Virginia, Tennessee and Louisiana — Sumner opposes admission — Congress passes Wade-Davis bill — Lincoln's death prevents quarrel with Congress.

THE collapse of the Confederacy ended all organized resistance to the authority of the United States, but the nation was now confronted with a problem, the solution of which was eventually to tax the statesmanship and wisdom of its officials to the utmost. This problem not only concerned the question of restoring the Confederate States to their former places in the Union and determining the status of those who had fought against Federal authority, but there was also the question of the legal,

political, social and industrial status of those who had been freed by the issue of the war—how the "investment of the freedmen with the rights and privileges of citizenship and the protection of them in the enjoyment of those rights and privileges" was to be carried out and put into effect.*

* In his inaugural address in October, 1866, Governor Humphreys, of Mississippi, admirably expressed the general feeling throughout the South with regard to this question as follows: "Several hundred thousand of the negro race, unfitted for political equality with the white race, have been turned loose upon society; and in the guardian-

The enacting of the law enfranchising the freedman had been an easy matter, but the solution of his economic problems and difficulties was a far different proposition. As Dr. DuBois says, "it seemed plain that this was no ordinary matter of temporary relief, but a national crisis; for here loomed a labor problem of vast dimensions. Masses of Negroes stood idle, or, if they worked spasmodically, were never sure of pay; and if perchance they received pay, squandered the new thing thoughtlessly."*

Before going into details concerning the reconstruction of the South, we must glance at the social and economic conditions existing after the war.

After the armies of the North had been disbanded and there was no further need for great quantities of military supplies, the former soldiers and those engaged in the manufacture of war materials were forced to secure employment in other channels of industry. The great and burdensome war taxes must be reduced and a general economic readjustment accomplished. In addition, the railways of the country — and particularly those of the South — † needed extension of

their lines in order to more quickly and easily settle and develop the uncultivated lands.

In the North, after the disasters of 1861 and 1862, a revival of business began and continued throughout the war.* In some localities and in some trades the wages of labor advanced, but that advance was not commensurate with the advance in the cost of living. Nevertheless the demand for labor was constant, manufacturing plants were busy and prosperity seemed general, even a large amount of money being spent during 1863 and 1864 for luxuries. Gaiety was manifest throughout the country toward the close of the war and theatres and places of public amusement were liberally patronized. But with this prosperity there "was a prevalent impression that in the midst of this speculation, extravagance and luxury, morals declined," as witnessed by editorials and comments of the *New York Times* (April 21, 1864), the *Columbus* (Ohio) *Crisis* (May 4, 1864), the *Springfield Republican*, and other journals, and also by the public speeches of many prominent men. The same situation obtained in the South.†

On the other hand the public sense of morality in the North had been sadly shaken by the revelations of corruption among government officials. During Secretary Stanton's administration of the war department, a com-

ship she may assume over this race, she must deal justly with them and protect them in all their rights of person and property. The highest degree of elevation in the scale of civilization to which they are capable, morally and intellectually, must be secured to them by their education and religious training, but they cannot be admitted to political or social equality with the white race."

* W. E. B. DuBois, *The Souls of Black Folk*, p. 17 (A. C. McClurg & Co.).

† John C. Schwab, *The Confederate States of America, Financial and Industrial History*, pp. 272-275.

* James F. Rhodes, *History of the United States from the Compromise of 1850*, vol. v., chap. xxvii., and authorities cited (The Macmillan Co.).

† Schwab, pp. 280-283, and authorities cited.

mission was appointed to audit and adjust claims, and the revelations were startling. "Before making their report, July 1, 1862, they had secured deductions of nearly 17 millions from claims amounting to 50 millions. For instance: A middleman * * * was induced to make a deduction of \$580,000; an importer took off a million from the amount of his claim. * * * Worst of all a senator received \$10,000 for securing an order from the War Department." * But Secretary Stanton soon made a change and comparatively little fraud was afterward unearthed, when the vast sums of money handled in the war department are taken into consideration. The paymaster-general's report for October 31, 1865, states that the amount of money disbursed by the department from July 1, 1861, to October 1, 1865, was \$1,029,239,000 and the total defalcations were only \$541,000 for the same period.

But if conditions in the North were comparatively prosperous, they were far from it in the South.† The little

* Rhodes, vol. v., p. 215 *et seq.* See also the *Official Records, War of the Rebellion*, ser. iii., vol. ii., p. 188.

† Pollard, *Lost Cause*, p. 743 (E. B. Treat & Co.), says the war "closed on a spectacle of ruin, the greatest of modern times. There were eleven great States lying prostrate; their capital all absorbed; their fields desolate; their towns and cities ruined; their public works torn to pieces by armies; their system of labour overturned; the fruits of the toil of generations all swept into a chaos of destruction; their slave property taken away by a stroke of the pen; a pecuniary loss of two thousand millions of dollars * * *." Sidney Andrews, in his *South Since the War*, p. 7, says "it is not clearly understood how thoroughly Sherman's army destroyed everything in its line of march,—

private or public property remaining after the armies had completed their work of devastation was of no practical value. The railways, canals, and roads had gone to ruin and the plantations were going to forest. Real estate brought no rents, and no money could have been paid by tenants if the property had been rented; it could not be sold and scarcely used.* By

destroyed it without questioning who suffered by the action * * *. The Rebel leaders were, too, in their way, even more wanton. They did not burn houses and barns and fences as we did; but during the last three months of the war they burned immense quantities of cotton and rosin. The action of the two armies put it out of the power of men to pay their debts. The values and bases of values were all nearly destroyed. * * *. Thousands of men who were honest in purpose lost everything but honor." See also pp. 28-37 for further particulars; and Pollard, chaps. xxxvii., xl.; Robert Somers, *The Southern States Since the War*, pp. 37-41; John P. Hollis, *The Early Period of Reconstruction in South Carolina*, in *Johns Hopkins University Studies in Historical and Political Science*, ser. xxiii., Nos. 1-2, pp. 10-25 (January-February, 1905); John H. Claiborne, *Seventy-Five Years in Old Virginia*, chap. v.

* "Stay and bankrupt laws for the benefit of the debtor class and bearing much hardship on creditors, often orphan minors, were passed, and under these planters were sold and moved to new places, their overseers often succeeding them and reigning in their stead. It was not an unknown thing for men to manage to get themselves sold under these laws, thus evading payment of obligations and at the same time securing a certain quota for themselves, which the law allowed. * * *. Much hard feeling was engendered.

"Some measure for relief of the debtor class was necessary. A man who had contracted debts on the basis of thousands of acres at fifteen to fifty dollars an acre, and owning a hundred or more negroes, worth a thousand dollars each, could not meet in full such obligations when his land would not bring two dollars an acre, when his negroes were set free, and hired labour, if he had where-withal to hire, could not be relied on. Some took the Bankrupt Law for protection, then set to work and paid obligations which could not be

the granting of freedom to the negroes over \$2,000,000,000 of capital that had been invested in slaves was completely wiped out and the slave-owner who was wealthy before the war, because of his investments in good slaves, suddenly found himself bankrupt.* There were no banks and no coin money to put in them had they existed, and good labor was so difficult to procure that produce could not be raised in order to bring in coin money.† Beside this those of the active white male population who had not been killed in battle were either wounded or so shattered in health as to be of little service for some time to come in restoring the prosperity of their native States. All who had in any way taken part in the "rebellion" were ignored in the work of reorganizing the State governments, and therefore the South was denied the benefits to be derived from the thought and experience of her ablest leaders and best citizens.‡

exacted by law."—Myrta L. Avery, *Dixie After the War*, pp. 174-175 (Doubleday, Page & Co.); Rhodes, vol. vi., p. 78; Schwab, chap. vi., pp. 106-123, "The Southern Debtors."

* The *Hinds County* (Miss.) *Gazette* of February 2, 1866, estimated the loss in Hinds County alone at \$25,926,000, dividing the amount as follows: 22,352 slaves emancipated, \$11,176,000; 200 buildings burned, \$600,000; growing crops destroyed, \$500,000; 10,000 bales of cotton burned, \$3,000,000; vehicles, furniture, etc., destroyed, \$200,000; stocks, bonds, etc., \$250,000; live stock carried away, \$2,000,000; depreciation in value of lands, \$10,000,000. See also J. W. Garner, *Reconstruction in Mississippi*, p. 122 *et seq.* (The Macmillan Co.); J. S. Pike, *The Prostrate State: South Carolina under Negro Government*, p. 117 *et seq.*; W. L. Fleming, *Documentary History of Reconstruction*, vol. i., pp. 9-20.

† Schwab, pp. 124-164.

‡ Many of the war-time governors and other

During the latter part of the war there was much suffering among whites and negroes from lack of food,* for in the remote counties there were no negroes to do the work in the absence of the whites.

The finances of the Confederate States were in a deplorable condition long before the surrender of the armies. The Confederate government could not raise any large amount of money by internal taxation, and the revenues derived from duties on exports and imports were inconsiderable, \$27,000,000 being "an outside estimate of the receipts in specie of the Confederate government during its life of four years."† The Confederate government issued paper money and interest-bearing notes before the end of 1863 to the extent of \$700,000,000. This amount had in another year increased to \$1,000,000,000, and ultimately reached such proportions that no exact record was ever made public, and probably the government itself did not even know the amount of these notes afloat.‡ Beside this there were

officials were arrested and placed in prison and the State governments therefore collapsed.

* In September, 1865, the Alabama State authorities reported 139,000 destitute whites and 200,000 in December of that year. In 1865 General Grant wrote to Mrs. Grant from Raleigh, N. C.: "The suffering that must exist in the South * * * will be beyond conception; people who speak of further retaliation or punishment do not conceive of the suffering endured already or they are heartless and unfeeling." See also Fleming, *Documentary History*, vol. i., pp. 20-25.

† Rhodes, vol. v., p. 343.

‡ Schwab, pp. 67, 165. See also Davis, *Rise and Fall of the Confederate Government*, vol. i., p. 493. Pollard says the total cost of the war to the Confederate government was \$3,500,000,000, "according to the opinion of intelligent officers of the

issues of treasury notes by the various States, banks increased their circulation, municipal treasury bills were put out by city corporations, and the various railway, insurance, industrial and other companies also added their quotas to the stock of paper money.*

Together with the struggle in the government financial situation came high prices in articles of comfort and necessity. "In July, 1862, when gold was worth \$1.50, beef and mutton sold in Richmond for 37½ cents a pound, potatoes \$6 a bushel, tea \$5 a pound and boots \$25 per pair. In the early part of 1864 when \$1 in gold brought \$22 in Confederate money * * * the price of turkey was \$60, flour \$300 per barrel, and in July of that year shoes \$150 per pair."† Tea and coffee were luxuries, coal and wood were scarce in the winter and ice in the summer. In Columbia ice was sold only for the sick and on a physician's certificate.‡ Salt was scarce and medicines were badly needed. Clothing of all kinds was deficient and high priced as the clothing factories had been destroyed by the Northern armies. In many cities gas lighting was dispensed with

because of the need of the fuel for heating purposes.

The situation became so serious that bread riots broke out in Salisbury, N. C., Mobile, Atlanta, Richmond and other places, and provision shops were pillaged for food. The suffering among the negroes was almost as severe, for after the Northern armies had destroyed the crops and freed the slaves, the latter, chiefly from inclination but also because they thought "freedom" meant absolution from work, went in large numbers to the cities and military posts for food and shelter,* and their refusal to work in the fields soon had its effect on the crops, which in 1865 and 1866 were very poor. Finding little either of food or shelter they were forced to live out in the open air or in crowded and filthy cabins, and in the latter much disease, such as measles, small-pox and fevers, soon broke out, carrying off large numbers.‡ It has been

* "Negroes are already beginning to congregate here [Wilmington, N. C.] from the surrounding country. They do not wish to trust their old masters on the plantations; and, without any definite purpose or plan, they have a blind, but touching instinct, that wherever the flag is floating it is a good place for friendless negroes to go."—Whitelaw Reid, *After the War: A Southern Tour*, p. 50.

† Paul S. Peirce, *The Freedmen's Bureau*, in *Iowa State University Studies in Sociology, Economics, Politics and History*, vol. iii., N. S. No. 74, chap. i. (March, 1904); Fleming, *Civil War and Reconstruction in Alabama*, p. 269. See also P. A. Bruce, *The Plantation Negro as a Freeman*; F. L. Hoffman, *Race Traits and Tendencies of the American Negro*; Joseph A. Tillinghast, *The Negro in Africa and America*, in *Publications of the American Economic Association*, Series iii., No. 2 (May, 1902); Thomas Nelson Page, *The Negro: The Southerner's Problem*, p. 21 *et seq.* (Charles Scribner's Sons).

Treasury," about \$2,500,000,000 of which consisted of interest-bearing bonds of long dates, of treasury notes, of unsettled accounts which had been audited, and of cancelled debt in the form of old currency.—*Lost Cause*, p. 420 *et seq.* (E. B. Treat & Co., New York).

* Rhodes, vol. v., p. 334 *et seq.*; Schwab, pp. 124-145, 149-159.

† Rhodes, vol. v., p. 349, from facts presented by Mrs. Jefferson Davis; see also Schwab, pp. 171-180 and table of averages opposite p. 312.

‡ Rhodes, vol. v., p. 351 *et seq.* and authorities cited.

estimated that by the year 1867 the number of negroes who had died of disease, starvation and exposure more than equalled the number of Southern whites killed during the war. Politically and religiously the South was in the same unhappy state, for with the surrender of the Confederate armies what little civil administration there was under the Confederate government dissolved in all the States, and left the South without government of any kind, save in parts of Louisiana, Arkansas, Tennessee and Virginia. During this period the commanders of the armies of occupation dispensed justice to the whites and blacks in the vicinity of their posts as best they knew how, or as best suited their purpose, but for the most part order was maintained in the different States by the local committees of defense and where these had no permanent organization the people ruled themselves.

The military orders issued by the authorities were at times very irritating. One of these—the “Button Order”—prohibited the Southerners from wearing Confederate buttons, but a provision was made that “when plain buttons cannot be procured, those formerly used can be covered with cloth.” Another of these orders—the “Marriage Order,” issued by General Halleck in April, 1865, under the general title of “General Orders No. 4”—attempted “to prevent as far as possible, the propagation of legitimate rebels,” the fifth paragraph of that document providing that under pain of punishment “no marriage

license will be issued until the parties desiring to be married take an oath of allegiance to the United States; and no clergyman, magistrate, or other party authorized by State laws to perform the marriage ceremony will officiate in such capacity until himself and the parties contracting matrimony shall have taken the prescribed oath of allegiance,” etc.

The confiscation laws passed by Congress worked further hardships on the people, for there was no security from seizure and confiscation if the property were proven to have belonged to Confederate soldiers or to the Confederate government; and the administration of justice was in the hands of those who had no scruples about appropriating this property to their own benefit.

In the path of the armies of occupation came treasury agents to seize and collect that property which was declared forfeited to the Federal government, but many of these agents proved to be nothing more or less than common thieves, for they wantonly seized private property to which they had no right, pocketed the proceeds, and beside did not turn over to the government millions of dollars of legitimate funds which they had collected. Upon investigation by Congress these frauds were unearthed and some of the most disreputable of the embezzlers were fined and imprisoned,* but

* In 1865 the Federal grand jury at Mobile, Ala., when investigating the confiscation frauds, found that these agents had stolen in Alabama alone 125,000 bales of cotton, at that time worth \$50,000,000, most of which was private property.

as the number apprehended was inconsiderable the benefit to the South was little. What these thieves left to the starved and already overburdened South was eaten up by the tax on cotton, which had also come with the Federal armies.

In the religious organizations there had also been much trouble, for at the outbreak of the war these bodies had split on the slavery question and divided into Northern and Southern branches. At the close of the war, however, the Southern bodies were turned over to the Northern church organizations and the preachers were forced to conduct "loyal" services, and both ministers and communicants were compelled to acknowledge their guilt, declare the utter folly and unrighteousness of secession and war, to subscribe to the oath of allegiance, and finally to offer prayers for the upholding and guidance of the Federal authorities under penalty of expulsion.* Having the backing of the

Federal authorities and the armies, the Northern churches soon came into possession of a large portion of the Southern church property. They then attempted to absorb the organizations, but in this they were unsuccessful, as the Southerners refused to accept the proffered terms. The drastic measures adopted by the Northern bodies soon reacted upon them. The Southern bodies reorganized and united with the organizations of the border States, becoming stronger and more united. The only success with which the Northern bodies met was in securing the Unionist element among the congregations and gaining control over the negroes by separating them

Standpoint, pp. 139-147. 153-165. Walter L. Fleming, in his *Civil War and Reconstruction in Alabama*, says that a minister in Huntsville was arrested and sent North because, when ordered to pray the "loyal" prayer, he prayed "We beseech Thee, O Lord, to bless our enemies and remove them from our midst as soon as seemeth good in Thy sight." At Vicksburg General McPherson commanded the pastors to read the prescribed prayer for the President at each service. Bishop Elder, of Natchez, was banished because he refused.—Garner, *Reconstruction in Mississippi*, p. 34 *et seq.*

Only two of these cotton agents were captured, T. C. A. Dexter and T. J. Carver, and they were fined \$90,000 and \$250,000 respectively. Rhodes, vol. v., pp. 275-312, in discussing these frauds says that B. F. Butler, commanding general at New Orleans, went there in 1862 "the owner of property worth \$150,000. By 1868, according to the statement of one of his friends in the congressional canvass of that year, this had grown to a fortune of three millions." On the cotton transactions see also Fleming, *Documentary History*, vol. i., pp. 25-33 and the same author's *Civil War and Reconstruction in Alabama*, p. 284 *et seq.*

* Bishop R. H. Wilmer, of the Episcopal Church of Alabama, was suspended from his duties because of his refusal to offer a prayer for the President of the United States, and many of the churches were closed by the army for several months. See Bishop Wilmer's *Recent Past from a Southern*

At Saint Paul's church, Richmond, Dr. Minnegerode had read the prayer, omitting the words "for the President of the Confederate States," simply praying "for all in authority," to which form the commanding officer had given his consent. Secretary of War Stanton rounded up this officer as follows: "If you have consented that services should be performed in the Episcopal churches of Richmond without the usual prayer said in loyal churches for the President your action is strongly condemned by this Department." The officer replied: "Do you desire that I should order this form of prayer in Episcopal, Hebrew, Roman Catholic, and other churches where they have a liturgy?" to which Stanton answered: "No mark of respect must be omitted to President Lincoln which was rendered to the rebel, Jeff. Davis."—Avery, *Dixie After the War*, pp. 131-135.

from the whites and forming them into their own congregations.

Upon the most ignorant negroes the effect of sudden freedom soon became apparent in their religious duties. In many cases they refused to attend the white churches unless allowed to sit in the same pews with whites. This privilege being denied, they oftentimes relapsed into the voodooism of Africa. "‘Moans,’ ‘shouts’ and ‘trance’ meetings’ could be heard for miles, as could shouting, jumping, stamping, dancing, in a cabin over a mile distant; in the gray dawn negroes would come creeping back, exhausted and unfit for duty.”*

A great source of irritation to the Southerners was the sending of teachers from the North to open and conduct schools for the negroes, in fact to be their "friends, deliverers and saviours." These teachers considered the whites objects of charity and were not tardy in showing their professed superiority. They had come from a section which boasted of its intellectual advantages over the South and the Southerners were reproached for their lack of culture. This superiority is admirably set forth in a sermon† by A. L. Stone, of Boston, delivered January 4, 1865, before the Massachusetts legislature. In his discourse he said:

"There will be also a work worthy our best endeavors, to bring up ennobled, and save a degraded remnant of Southern population. * * * We shall have to show our former enemies how sin-

cerely and truly we can be and are their friends. We shall have to bless them in spite of their prejudices and all the depressing weight of their old habits. We shall have to show them how much better we can do for them than they have ever done for themselves * * * to inspire them with hope, diligence, economy, and the ambition for self-improvement—to set before them on their own soil the models of our own sweet and comfortable domestic life—to build school houses and churches and send them teachers and preachers, and sift into all their brightening consciousness the light of letters, the issues of the daily press and a fresh, healthful, evangelical literature. This grand charity will tax our faith and self-denial to the utmost for years to come."*

But instead of confining their teachings to books and the fundamentals, these teachers also saw fit to dabble in politics themselves and endeavored to instil their Northern ideas into the heads of the negroes. The negro was taught to regard the Southern white as his hereditary enemy, who had for years been a heartless taskmaster; that he was equal in all things—in some superior—to his former master; and that he should now begin to assert his "rights"—according to the new faith.‡

* T. T. Fortune, in his *Black and White: Land, Labor and Politics in the South*, p. 78, says that while the charitable work was of great benefit to the negro, "the misrepresentations resorted to, to obtain money to 'lift him up' have spread broadcast over the land a feeling of contempt for him as a man and pity for his lowly and unfortunate condition: so that throughout the North a business man would much rather give a thousand dollars to aid in the education of the black heathen than to give a black scholar and gentlemen an opportunity to honestly earn a hundred dollars. * * * The missionaries, the preachers and the educators, assisted by the newspapers and the magazines, have educated the people into the false opinion that it is safer 'to donate' a thousand dollars to a colored college than it is to give one black man a chance to make an honest living."

‡ A. H. Stone, *Studies in the American Race Problem*, pp. 272-276 (Doubleday, Page & Co.).

* Avary, *Dixie After the War*, chap. xvii.

† *The Work of New England in the Future of Our Country*.

Such were the social conditions in the South after the war.

There were many theories, plans and problems of reconstruction, that were as diversified as they were perplexing. From a constitutional point of view the fall of the Confederacy had left the Southern States in a very peculiar position, and there was great difference of opinion as to the exact nature of their relation to the Union. As there was nothing in the fundamental laws of the land with regard to the status of a State that had seceded, and been reconquered, and again brought under Federal authority, several questions naturally arose. Were the Confederate States still States or simply conquered territory? Were the former citizens of the Confederate States conquered rebels or conquered foreigners? What were their rights and how could they be punished? To what authority should be referred the disposition and government of this territory, and the restoration of the rights of citizenship to its people—the President, Congress or the Supreme Court?* The question of the position, and the civil and political rights of the negro was as perplexing as that of the status of the States. Did the negro become a citizen or a ward of the government upon receiving his freedom and who should fix his status, the State government or the Federal government? His qualifications for the elective franchise were not considered.

As soon as it was foreseen that the Confederacy must eventually be destroyed, Congress became active in discussing these questions. The elements composing the political parties at the end of the war were not calculated to permit an easy solution of the problem of reconstruction. Throughout the war the Democratic party had maintained an attitude of opposition to the government, and by its course alienated many of its most influential members, who resigned from the organization and joined with the Republican party in support of Lincoln's administration. This party, however, as a national organization, ceased to exist during the last year of the war, and was formed with the dissenting Democrats into the Union party. But its members could agree on no plan of reconstruction nor on the negro question; party lines were therefore overthrown and for a time all efforts were expended in an attempt to prevent the Democrats from deserting the Union party in order to affiliate themselves with their old organization. On the other hand, the majority of the Southerners, though they had been disfranchised and thus had no particular party affiliations, sympathized with the Democratic party and eventually lined up solidly against the party that had conducted the war and would control the reconstruction of their native States. This course was most natural because the Democratic party endorsed the Crittenden-John-

* J. W. Burgess, *Reconstruction and the Constitution*, pp. 6-7 (Charles Scribner's Sons).

son resolutions of 1861* which declared that the States and the states' rights could not be destroyed, and that whenever the Southern States should lay down their arms and submit to the authority of the United States, the Union would be restored. The Southern leaders readily accepted the Democratic theory that the secession had been the work of individuals and not of States, and that in order to be restored to all their former rights it was only necessary for the governors of the respective Confederate States to convene the legislatures, swear allegiance to the Federal government and elect representatives to Congress. This theory resulted in the Sherman-Johnston convention upon the surrender of the latter in April, 1865.†

The plans of both Lincoln and Johnson, while not directly opposed to this method, differed from it in many important respects. Lincoln and his supporters believed that the "loyal" element of the population was large, but that the functions of the State governments had been usurped by combinations of disloyal persons and that therefore the rights of the States had not been destroyed but simply temporarily suspended by the acts of the Confederate officials, who were not recognized. Lincoln did not regard the acts of the Confeder-

ate authorities as legal, or quasi-legal, and held that the existence of the States themselves was not affected by the disloyal acts of a portion of their inhabitants. These States, therefore, were simply out of their "proper practical relations" with the Federal government on account of the war.* His plan was to restore to the people their former rights by pardon and amnesty upon promise of future loyalty, in order that they might begin the work of forming new State and local governments; but he believed that the preponderance of power in such State governments should be in the hands of the loyal element of the population. This would simply mean an executive reconstruction with the possible use of the army, and would not necessitate the intervention of Congress. This view was also presented to Congress in December, 1865, by Mr. Raymond.

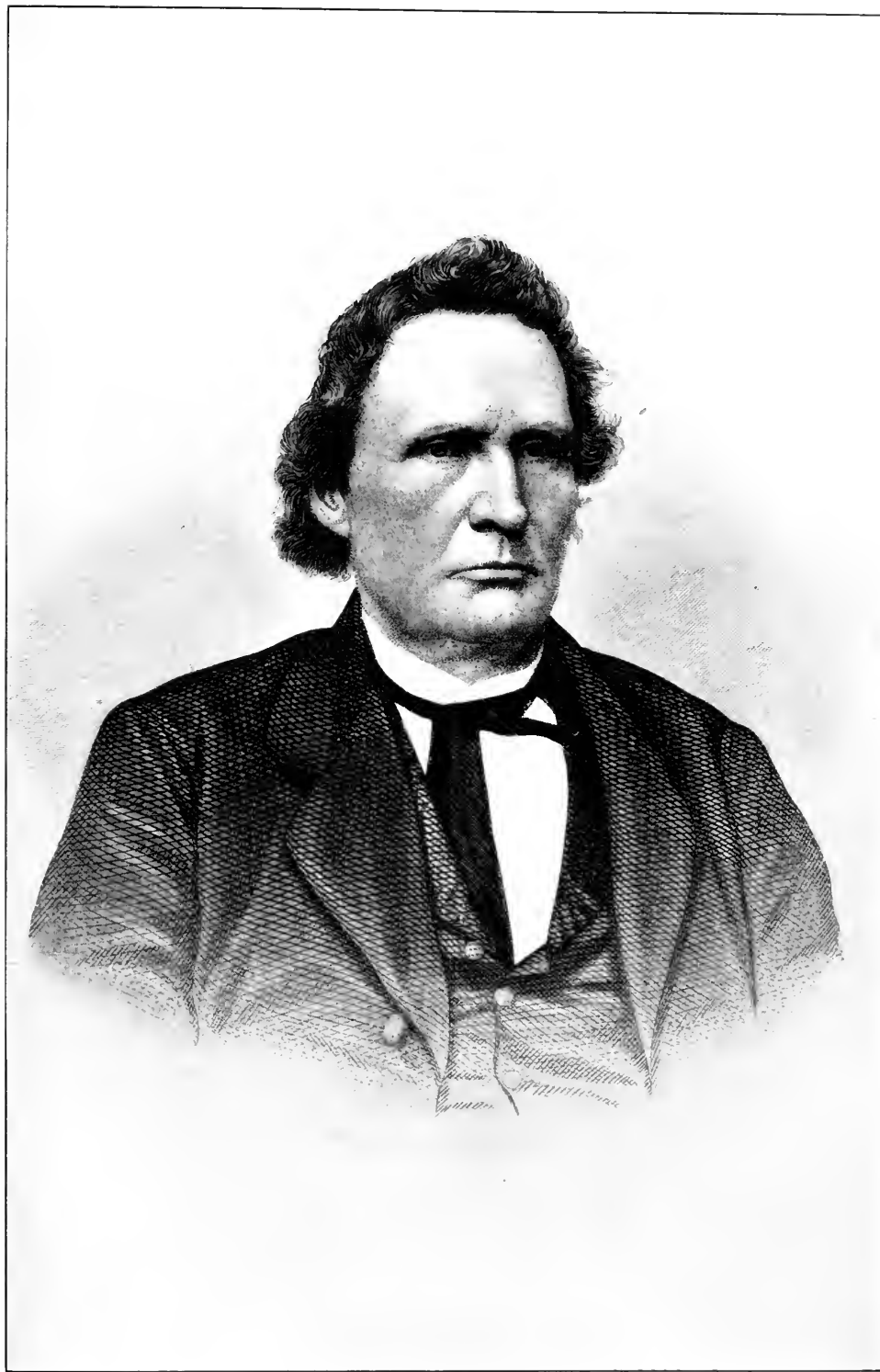
The extreme radicals of Congress strenuously opposed this lenient and conservative plan.† Charles Sumner,

* This view was given in his last public speech, April 11, 1865. Nicolay and Hay, *Complete Works of Abraham Lincoln*, vol. ii., pp. 672-675 and *The Life of Lincoln* by the same authors, vol. ix., p. 457 *et seq.*; Rhodes, vol. v., pp. 134-136; Burgess, *Reconstruction*, pp. 9, 58-59; James G. Blaine, *Twenty Years of Congress, from Lincoln to Garfield*, vol. ii., pp. 46-47, 53; S. S. Cox, *Union, Disunion, Reunion: Three Decades of Federal Legislation*, pp. 342-344.

† The Republicans had a majority of more than two-thirds in each branch of Congress. The Republican leaders in the Senate were Charles Sumner and Henry Wilson, of Massachusetts; Benjamin F. Wade and John Sherman, of Ohio; Richard Yates and Lyman Trumbull, of Illinois; and Zachariah Chandler, of Michigan. The most prominent Republicans in the House were Thaddeus Stevens the "Old Commoner," of Pennsylvania; the Speaker,

* Introduced in the House by Crittenden, of Kentucky, July 22, 1861, and in the Senate by Andrew Johnson, four days later. *Congressional Globe*, p. 222. See E. G. Scott, *Reconstruction During the Civil War*, pp. 245-255.

† Nicolay and Hay, *Abraham Lincoln: A History*, vol. x., chap. xii.



THADDEUS STEVENS.



in what was known as the "state suicide theory,"* maintained that the Southern States by the act of rebellion had destroyed their corporate existence as self-governing commonwealths and at the same time all legal basis for local institutions. He claimed that Congress had the power and right to organize new States out of territory embraced in the rebellious States without regard to their present limits or names and might also determine the racial, social, political, religious, economic and other conditions therein. Thaddeus Stevens, of Pennsylvania, invented the

Schuyler Colfax, of Indiana; James G. Blaine, of Maine; Gen. Benjamin F. Butler, of Massachusetts; Roscoe Conkling, of New York; Gen. James A. Garfield, of Ohio; Gen. John A. Logan, of Illinois; and John A. Bingham, of Ohio.

The majority of the Cabinet members supported President Johnson, as did the members of the Democratic party in both Houses of Congress, chief among them in the Senate being Reverdy Johnson, of Maryland; James A. Bayard and Willard Saulsbury, of Delaware; Charles R. Buckalew, of Pennsylvania; Thomas A. Hendricks, of Indiana; and Garrett Davis, of Kentucky. In the House were Daniel W. Voorhees, of Indiana; Samuel J. Randall, of Pennsylvania; James Brooks, Samuel Sullivan ("Sunset") Cox, Fernando Wood and Benjamin Wood, of New York; and George H. Pendleton, of Ohio. Several Republican members of the Senate also supported the President, among them being James H. Lane, of Kansas; Edgar Cowan, of Pennsylvania; and James R. Doolittle, of Wisconsin.

* Resolutions of February 11, 1862 (*Globe*, pp. 736-737) and December 4, 1865 (*Globe*, p. 2); speech of December 20, 1865 (*Globe*, p. 92). See also Sumner's article *Our Domestic Relations, or How to Treat the Rebel States in the Atlantic Monthly*, October 1863, vol. xii., pp. 518-526; Edward L. Pierce, *Memoir and Letters of Charles Sumner*, vol. iv., pp. 72-75, 268 and footnote (copyright, 1893 by Edward L. Pierce); Moorfield Storey, *Charles Sumner*, pp. 217-219, 302-307; A. L. Dawes, *Charles Sumner*, pp. 182-185, 239-242.

"conquered province theory,"* by the terms of which the Southern States were to be regarded simply as conquered provinces and governed for an indefinite length of time as territorial dependencies under the plenary powers of Congress; the people of the States were to be regarded and treated as foreigners who had been conquered and therefore had no rights under the constitution of the United States. By putting the Confederates in the light of conquered foreigners and by confiscating their property and deporting their most influential leaders, Stevens planned to populate the territory with people such as might suit his own purposes.†

There were other plans of reconstruction more or less similar to these,‡ the most prominent of which was the somewhat intermediate "forfeited rights theory" proposed by Shellabarger,|| of Ohio, finally adopted by Congress and subsequently put into practical operation. This theory was that the Southern States as a result of the rebellion had "deprived themselves of all civil government," had forfeited their rights of self-government and had dropped back

* Speech of January 8, 1863 (*Globe*, p. 243) and December 18, 1865 (*Globe*, p. 72). See also W. A. Dunning, *Essays on the Civil War and Reconstruction*, p. 107 et seq.; S. W. McCall, *Thaddeus Stevens*, pp. 191-192, 261-264; Blaine, vol. ii., pp. 128-131; Cox, *Three Decades*, pp. 365-374; E. B. Callender, *Thaddeus Stevens, Commoner*, pp. 112-118, 131-133.

† *Globe*, pp. 243-244.

‡ For which see Fleming, *Documentary History*, vol. i., pp. 109-159.

|| In a speech delivered January 8, 1866. Blaine, vol. ii., pp. 134-136.

into the status of territories which Congress might again create into States under such conditions as it might prescribe. All the other theories were simply modifications of the three given above, and upon the adoption of the "forfeited rights theory" the final authority on reconstruction was taken from the executive and placed with the legislative body. It had been Lincoln's view that the problem was one with which the executive branch of the government should deal, but Congress decided that it was a legislative problem, as the Supreme Court had interpreted the Constitution as expressly providing that it was the duty of the legislative branch to guarantee a republican form of government to each State. This conflict of opinion complicated matters and greatly embarrassed and hindered the work of reconstruction.

The executive plan of reconstruction had been put into operation as early as 1862 when Lincoln had appointed military governors of Tennessee, North Carolina and Louisiana, large portions of which had come under the authority of the military forces. In 1863 Arkansas was also put under the same control. These military governors were vested with rather vague and ill-defined powers, but they were supposed to put the affairs of the State into such condition as would permit of the establishment of a permanent State organization at a later date. After the battle of Gettysburg and the fall of Vicksburg, Lincoln proceeded

to develop a more definite and systematic plan which could be applied to all the States. On December 8, 1863, in his annual message to the Thirty-eighth Congress, he offered pardon and amnesty and restoration of all rights to all persons who had served the Confederacy and who would take the oath of allegiance, with the exception of those who had resigned from the service of the United States in order to enter the Confederate service and also those who had held high civil or military offices under the Confederate government. Lincoln also promised* that whenever a number of voters in any State equal to ten per cent. of the number of voters in 1860 should take the oath to support the Constitution of the United States and the laws and proclamations regarding slavery, which the President had issued during the war (until passed upon by the Supreme Court), and should organize a State government he would give such government executive recognition. These States would then be allowed to send representatives to Congress, but whether or not they would be recognized by that body was a question that each House must decide for itself.†

That Lincoln's large heart was

* In a proclamation sent to Congress with his annual message of 1863. J. D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, vol. vi., pp. 213-215; *Complete Works*, vol. ii., pp. 442-444; Dunning, *Reconstruction, Political and Economic*, pp. 14-15; Blaine, vol. ii., pp. 37-39.

† Burgess, *Reconstruction*, p. 11.

planning most generously for the Southerners is further shown by the following passage:

"Two days after the Hampton Roads Conference [February 5, 1865] the President called his cabinet together and submitted to them the draft of a message he proposed to send to Congress. He recommended that a joint resolution be adopted empowering the President to pay in his discretion to the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia \$400,000,000 in six per cent. government bonds as compensation for their slaves. This payment was 'to be distributed among said States pro rata on their respective populations as shown by the census of 1860' and was to be dependent on the ceasing of all resistance to the national authority by the first day of April next. On the abandonment of such resistance one-half of the sum should be paid, the other half on the Thirteenth Amendment, which abolished slavery, becoming valid law by the ratification of the requisite number of States. The cabinet disapproved unanimously of the President's project. Welles was undoubtedly right in his opinion that such a measure could not pass the present Congress."*

In accordance with Lincoln's "ten per cent." plan and under his supervision, governments were set up in Arkansas and Louisiana in the early part of 1864, but when the delegates to Congress applied in December for admission to that body it was refused.† This form of government was also established in Tennessee in the early part of 1865 and the representatives of that State were also accorded the same treatment by Congress.

In his message of December 6, 1864, Lincoln had said:

"Important movements have occurred during the year to the effect of moulding society for durability in the Union. Although short of a complete success it is much in the right direction that 12,000 citizens in each of the States of Arkansas and Louisiana have organized loyal State governments, under free constitutions, and are earnestly struggling to maintain and administer them. The movements in the same direction, more extensive though less definite, in Missouri, Kentucky and Tennessee should not be overlooked. But Maryland presents the example of complete success. Maryland is secure to liberty and Union for all the future. The genius of rebellion will no more claim Maryland."*

But Lincoln had not foreseen correctly, for Maryland was the only State wherein the hoped-for results were at that time actually and permanently accomplished. In October, 1864, the people of Maryland adopted a constitution abolishing slavery by a majority of 375, but "this majority was secured only by allowing Maryland soldiers outside the State to vote."‡ The constitutional convention of Missouri had abolished slavery January 11, 1865, by a vote of 60 to 4 and the slavery ordinance was at once put in force by proclamation of the governor.§ In January, 1864, a convention of the loyal people of Arkansas assembled and on the 22d abolished slavery.|| The new consti-

* *Complete Works*, vol. ii., p. 612.

† Rhodes, vol. v., p. 48, and authorities cited. See also the *Debates* of the convention, April 27–September 6, 1864; Nicolay and Hay, vol. viii., chap. xix.

‡ F. N. Thorpe, *A Short Constitutional History of the United States*, pp. 214–218 (copyright, 1904, Little, Brown & Company); Nicolay and Hay, vol. viii., chap. xx.

§ *Journal* of the convention, January, 1864; Nicolay and Hay, vol. viii., chap. xvi.

* Rhodes, vol. v., p. 82 *et seq.* See also *Complete Works*, vol. ii., pp. 635–636, and Nicolay and Hay, vol. x., p. 133 *et seq.* The same generous tone was manifested by Lincoln in his inaugural address on March 5, 1865.

† Scott, *Reconstruction*, pp. 325–345.

tution was ratified, loyal State and county officials were chosen and on April 11 the new government was inaugurated. In Kentucky the sentiment against the abolition of slavery was strong, yet when by the adoption of the Thirteenth Amendment slavery became illegal Kentucky was glad to be free. "Despite the evident injustice arising from this appropriation of their property without process of law, not much attention was paid to the matter. The evil that came from the overthrowing of their labor system and the disappearance of property valued for taxation at over \$100,000,000 in 1860, and at that time worth at least double this amount, was forgotten in the anticipation of a happy end of greater evils."*

On February 13, 1864, a convention of delegates representing the loyal people of Virginia living in that part of the State under the Pierpont government assembled at Alexandria and on April 11 promulgated a constitution, one of the clauses of which abolished slavery.† But Congress refused to recognize the validity of the Pierpont government.‡ In Tennessee a convention assembled at

Nashville January 9, 1865, and on the 14th adopted an amendment to the constitution abolishing slavery, which was later ratified by popular vote.*

In Louisiana the delegates to the constitutional convention met in New Orleans April 6, 1864, and on May 11, by a vote of 70 to 16 abolished slavery.† They also restricted suffrage to the white males, but empowered the legislature to confer it on the blacks according to Lincoln's plan.‡ The constitution was adopted by a vote of 66 to 16, but only 8,402 votes were cast (6,836 in favor and 1,566 against) when it was placed before the people for ratification. Nevertheless, Lincoln wrote:

"A very fair proportion of the people of Louisiana have inaugurated a new State government, making an excellent new constitution — better for the black man than we have in Illinois. This was done under military protection, directed by me, in the belief, still sincerely entertained, that with such a nucleus around which to build we could get the State into position again sooner than otherwise."||

But when the joint resolution, recognizing this government as the "legitimate government" of Louisiana, came up for debate in the Senate§ most of the Democrats and five radical Republicans under the leadership

* N. S. Shaler, *Kentucky: A Pioneer Commonwealth*, pp. 360-361; R. H. Collins, *History of Kentucky*, pp. 155, 159, 161, 165, 170; Cox, *Three Decades*, p. 328; *Appleton's Annual Cyclopædia*, 1865, p. 462 *et seq.*

† J. A. C. Chandler, *The History of Suffrage in Virginia*, in *Johns Hopkins University Studies in Historical and Political Science*, Series xix., Nos. 6-7, p. 326 (June-July 1901); *Journal of the convention*, February-April, 1864; Nicolay and Hay, vol. ix., p. 436 *et seq.*

‡ McCarthy, *Lincoln's Plan of Reconstruction*, p. 129 *et seq.*

* Nicolay and Hay, vol. viii., chap. xvii.

† Without compensation to the slave-owner. *Debates of the Louisiana convention*, 1864, p. 208; Burgess, *Reconstruction*, pp. 14-15; Blaine, vol. ii., p. 40; Nicolay and Hay, vol. viii., chap. xvii.

‡ Article xv., title 3, Louisiana constitution, 1864; Albert Phelps, *Louisiana: A Record of Expansion*, p. 331.

|| In a letter to Major-General Hurlbut, November 14, 1864. See *Complete Works*, vol. ii., p. 597; Nicolay and Hay, vol. ix., p. 446.

§ February 23, 1865, *Globe*, p. 1061 *et seq.*

of Charles Sumner opposed the resolution. Sumner fought it from every standpoint, saying that he would "regard its passage as a national calamity," and, thinking it so, that he was "justified in opposing it and justified, too, in employing all the instruments that I can [he could] find in the arsenal of parliamentary warfare." * Sumner gained his object in this contest by delaying the vote so that it could not be taken before Congress adjourned on March 4, 1865, and the resolution was tabled.† Thus not only the Louisiana resolution but also a similar one relating to Arkansas was lost.

In this debate the variance in the theories of Lincoln and Sumner became manifest, for Sumner believed that the government should make equal negro suffrage a condition upon which the States might reënter the Union, while Lincoln favored the use of moral pressure on the reconstructed governments to induce them to confer suffrage on the "very intelligent" blacks and those who had "fought gallantly in our ranks."‡

* *Globe*, pp. 1107-8; Pierce's *Sumner*, vol. iv., p. 222. Wade also said, regarding the "ten per cent." plan: "A more absurd, monarchical, and anti-American principle was never announced on God's earth."—*Globe*, p. 1128. For counter opinion as to Sumner's course see Merriam's *Life and Times of Samuel Bowles*, vol. i., p. 419; C. F. Adams, *Richard Henry Dana*, vol. ii., p. 276.

† Scott, *Reconstruction*, pp. 349-373 for a full discussion of the debates. See also Pierce's *Sumner*, vol. iv., pp. 223-228; Nicolay and Hay, vol. ix., pp. 449-456.

‡ *Complete Works*, vol. ii., p. 496; Nicolay and Hay, vol. viii., p. 434; Sumner's *Works*, vol. ix.; Storey's *Sumner*, p. 232 *et seq.*; Pierce's *Sumner*, vol. iv., p. 221 *et seq.*

This suggestion was made by Lincoln in a private letter to Governor Hahn, of Louisiana, March 13, 1864, but Lincoln said the idea was "only a suggestion, not to the public, but to you."*

In the meantime, however, Congress had set its disapproval upon Lincoln's plan of reconstruction. On July 4, 1864, both Houses passed the Wade-Davis bill which took the work out of the President's hands and placed it under Congressional supervision. This bill also provided for the election of State officials and of representatives to Congress, the adoption of constitutions and the abolition of slavery in the States.† Lincoln, however, did not sign the bill and as Congress adjourned a day or two afterward it was defeated. But he stated in a proclamation, issued on July 8, 1864, that he would recognize any State organized under the provisions of this bill.‡

* George T. Curtis, *Constitutional History of the United States*, vol. ii., pp. 353-354.

† C. E. Chadsey, *Struggle between President Johnson and Congress over Reconstruction*, in *Columbia University Studies in History, Economics and Public Law*, vol. viii, No. i, pp. 18-22 (1896).

‡ Burgess, *Reconstruction*, pp. 15-19; Nicolay and Hay, vol. ix., pp. 114-127; Blaine, vol. ii., pp. 41-44; Curtis, *Constitutional History*, vol. ii., pp. 348-349; John Sherman, *Recollections of Forty Years in the House, Senate and Cabinet*, vol. i., pp. 359-361. Wade and Davis then issued a protest "to the supporters of the government" in which it was said that the President's act was "rash and fatal," that the "authority of Congress is paramount and must be respected; that the whole body of Union men of Congress would not submit to be impeached by him of rash and unconstitutional legislation," and that he must "confine himself to his executive duties—to obey and execute, not make the laws."—E. G. Scott, pp. 274-

On February 4, 1865, Congress passed a resolution prohibiting the counting of the electoral vote for President and Vice-President of any State that had passed a secession ordinance,* but as this resolution excluded the votes of the States that had been reconstructed according to

305 (the text of the Wade-Davis protest being given on pp. 412-425). Scott says that "all that Congress could show, after its struggle for a whole session with the President, was that it had been outwitted."

* In the Senate by a vote of 29 to 10, absent 12. The bill was then returned to the House and the Speaker signed it on February 6.—Scott, *Reconstruction*, pp. 374-389.

Lincoln's plan, a breach seemed imminent between the executive and the legislative. Lincoln signed the bill on February 8, 1865, however, though with some reluctance, and his untimely death soon afterward prevented the opening of a quarrel with Congress, although this probably would not have happened because of his great tact.*

* Beside the works already mentioned giving Lincoln's plans and acts in connection with these events see the lives by O. J. Victor, L. P. Brockett, H. J. Raymond, Carl Schurz, Alonzo Rothchild, Ida M. Tarbell, J. T. Morse, J. G. Holland, N. Brooks, W. O. Stoddard, W. E. Curtis, N. Hapgood and I. N. Arnold.

CHAPTER II.

1865 - 1866.

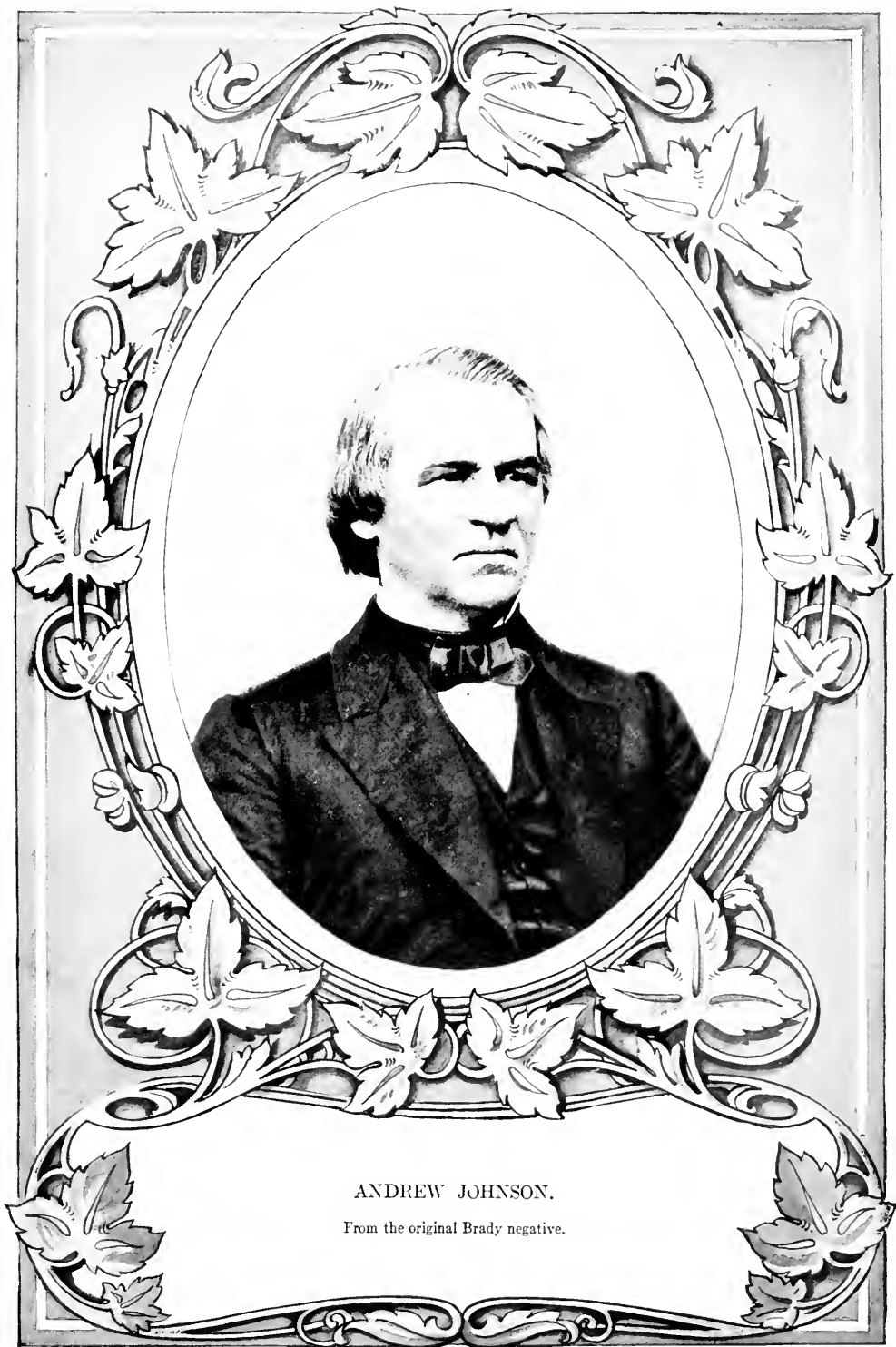
PRESIDENT JOHNSON AND THE RECONSTRUCTION.

President Johnson's vindictive utterances—Commercial and amnesty proclamations—Provisional governors appointed—Their authority—Johnson becomes conservative—State conventions—Congress refuses admission to representatives elected—Joint Committee on Reconstruction appointed—President's message—Reports of Grant and Schurz submitted to Congress—Their contents—The "Black Code"—Freedman's Bureau bill vetoed and passed over veto—Purposes of Bureau—Results of work different from object—Civil Right's law passed—Johnson's speech on Washington's Birthday—Report and recommendations of Reconstruction Committee—Fourteenth Amendment—Tennessee admitted—Congressional elections—Cabinet officials resign.

After the assassination of Lincoln, as we have already seen, Vice-President Johnson acceded to the presidency and many people feared that he would pursue a vindictive policy toward the South.* The great ma-

jority of the Northerners cried for vengeance, denouncing the assassination as a "rebel plot" and demanding that the "leaders of the rebellion" be hanged. Even the pulpit joined in the hue and cry and condoned the fact that Lincoln had been shot in a thea-

* William Salter, *Life of James W. Grimes*, p. 278 (D. Appleton & Co.)



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tre.* It was later declared that Vice-President Johnson was privy to the assassination.†

President Johnson's first utterances regarding the Confederate leaders were so vehemently condemnatory that wise and moderate men were apprehensive lest President Lincoln's judicious measures would not be adopted, and that excessive harshness toward the people of the South would widen the breach. To a New Hampshire delegation, who waited upon him after his inauguration, the President said: "Treason is a crime, and must be punished as a crime. It must not be regarded as a mere difference of political opinion. It must not be

excused as an unsuccessful rebellion, to be overlooked and forgiven. It is a crime before which all other crimes sink into insignificance." Harsher language than this was used by Mr. Johnson toward the Confederates, and this attitude greatly pleased the radicals who did not favor the plans of the more moderate Lincoln, Benjamin Wade saying "Johnson, we have faith in you. By the Gods, there will be no trouble now in running the Government."**

The preliminary step toward reorganization was taken by the President April 29, 1865, when he issued a proclamation declaring that all restrictions upon commercial intercourse were removed in such parts of the Confederate States east of the Mississippi as were within the Union military lines.† Proclamations of May 22, June 13 and June 24 removed the restrictions, except on contraband of war, in the territory east of the Mississippi and in the trans-Mississippi region; and by proclamations of June 23 and July 1 the blockade of Southern ports was raised and trade was not restricted thereafter except in contraband of war, upon which the

* See footnote in Rhodes, vol. v., p. 154. The Southern view is stated on pp. 159-160 but see also the authorities cited in footnotes and Avery's *Dixie After the War*, pp. 82-85 and chap. viii. for result. In Nicolay and Hay's *Abraham Lincoln* occurs the following statement: "Among the extreme radicals in Congress Mr. Lincoln's determined clemency and liberality towards the Southern people had made an impression so unfavorable that, though they were shocked at his murder, they did not, among themselves, conceal their gratification that he was no longer in the way. In a political caucus held a few hours after the President's death 'the thought was nearly universal,' to quote the language of one of their most representative members, 'that the accession of Johnson to the Presidency would prove a Godsend to the country.'" This evidently was George W. Julian, as the same words are used in his *Political Recollections*, p. 255. Julian utters practically the same sentiments, for in referring to Lincoln's second nomination he says: "Of the more earnest and thorough-going Republicans in both Houses of Congress, probably not one in ten really favored it. It was not only very distasteful to a large majority of Congress but to many of the most prominent men of the party throughout the country." pp. 243-244 (A. C. McClurg & Co.)

† D. M. DeWitt, *Impeachment and Trial of Andrew Johnson*, pp. 135-148 (The Macmillan Co.).

* Blaine, vol. ii., pp. 8-14. On the speeches see Chadsey, *President Johnson and Reconstruction*, pp. 28-35 and footnotes; Henry Wilson, *Rise and Fall of Slave Power in America*, vol. iii., pp. 591-597; Julian, *Political Recollections*, p. 257; Edward McPherson, *Political History of the United States during the Period of Reconstruction*, p. 44 *et seq.*

† Richardson, *Messages and Papers*, vol. vi., p. 333; McPherson, *Handbook of Politics*, 1868, p. 7.

restriction was not removed until August 29.* On May 29 the President issued two proclamations, in the first prescribing the methods by which North Carolina would be reconstructed,† and in the second defining the terms by which the people of the disorganized States, with certain exceptions, might receive full amnesty and pardon, and be reinvested with the rights of citizenship. Among the excepted persons were those who possessed \$20,000 worth of property or more; those who had voluntarily resigned seats in Congress and enlisted in the Confederate service; civil or diplomatic officers of the Confederacy; military officers above the rank of colonel; naval officers above the rank of lieutenant; and all who had been governors of Confederate States. These excepted classes were allowed to petition the President for clemency, which was promised in so far as the facts in the case and the dignity of the government would allow.‡

These proclamations were followed by the appointment of provisional governors for seven of the disorganized States, namely: North Carolina, South Carolina, Georgia, Flor-

ida, Alabama, Mississippi and Texas. The governments of Arkansas, Louisiana and Tennessee, created under Lincoln's administration, were assumed to be legitimate, and therefore the governors of these States—Murphy, Wells, and Brownlow, respectively—were not disturbed in the performance of their functions, but were encouraged and upheld in the extension of their authority. Lincoln had always believed that Virginia did not secede, and that the shadowy loyal government, with its capital at Alexandria, had maintained the status of Virginia in the Union. Johnson believed that the authority of the existing loyal government in Virginia simply needed extension and he therefore issued an order on May 9th "putting the laws of the United States in operation in Virginia, and guaranteeing the support of the United States to Governor Francis H. Pierpont in all lawful measures for the extension and administration of the 'State' government * * *."§

William W. Holden was appointed governor of North Carolina, May 29; W. L. Sharkey of Mississippi, June 13; A. J. Hamilton of Texas, and James Johnson of Georgia, June 17; Lewis E. Parsons of Alabama, June 21; Benjamin F. Perry of South Carolina, June 30; and William

* McPherson, *Handbook of Politics*, 1868, pp. 9, 13, 14.

† This proclamation had been adopted by Lincoln shortly before his death and was followed as the policy of the new administration. Hugh McCulloch, *Men and Measures of Half a Century*, p. 378. For text see McPherson's *Handbook of Politics*, 1868, p. 9 *et seq.*; Chadsey, *President Johnson and Reconstruction*, p. 36 *et seq.*

‡ Blaine, vol. ii., pp. 70-76; Richardson, *Messages and Papers*, vol. vi., pp. 310-314; Cox, *Three Decades*, pp. 346-349.

§ Richardson, vol. vi., p. 337; McPherson, *Political History*, pp. 8, 12, 28; Burgess, *Reconstruction*, pp. 33-38; Nicolay and Hay, *Abraham Lincoln*, vol. ix., chap. xix.; Blaine, vol. ii., p. 79.

Marvin of Florida, July 13. These governors were clothed with authority to assemble citizens who had taken the amnesty oath in conventions for the purpose of abolishing slavery, repudiating the war debt and "repealing" the secession ordinances or of declaring them null and void. They were given power to reorganize the State governments subject to the control of the President and the war department and to secure the election of representatives in the national Congress. The President's plan was to restore these States to their position in the Union before the war, without any provision for securing to the emancipated slaves the rights of citizenship. The President's plan was to guarantee their freedom only, though, like Lincoln, he favored a qualified suffrage but thought this question ought to be settled by the States themselves.

This alleged betrayal of a "sacred trust" committed to him in good faith because of his solemn pledges to be the abiding friend — "the Moses" — of the freedmen; and the fact that he wished to pardon a large number of those who had been active in the Confederacy, and who would exercise a controlling influence in the States which he attempted to reorganize on his plan, made the radicals of the country doubt the President's sincerity in his declarations concerning the "offenders," although the North Carolina and other proclamations received the approval of every member

of the Cabinet.* Why the North was so solicitous concerning suffrage for the Southern negro is difficult to determine for "all the States of the North but six denied the negro the vote and one of the six (New York) required a property qualification for him but not for the white. The great majority of the Union Republican party was at that time opposed to negro suffrage."†

The "suspicions" of the radicals were confirmed by subsequent events, for Johnson became more moderate than his early utterances had indicated that he would be.‡ As the sum-

* Pierce's *Sumner*, vol. iv., pp. 244-246 and footnotes, pp. 248-259.

† Rhodes, vol. v., pp. 527-528. Rhodes, p. 531 *et seq.*, also says that "as soon as Johnson's policy was developed the radical Republicans took issue with the President." Wade in June entreated him to convene Congress; Thaddeus Stevens called Johnson's course insane; and "Sumner said that the exclusion of the negroes from voting for delegates to the North Carolina convention was 'madness.'" They were afraid Johnson's plans would succeed before they could quench their thirst for vengeance by the operation of their own plans. But with a few exceptions the party conventions, Democratic as well as Republican, held during the summer of 1865, endorsed the President's policy and pledged him their support.

George W. Julian in his *Political Recollections*, p. 265, in referring to a speech of Governor O. P. Morton, of Indiana, against negro suffrage says: "The Governor referred to the Constitution and laws of Indiana, denying the ballot to her intelligent negroes, and subjecting colored men to persecution and fine for coming into the State; and asked with what face her people could insist upon conferring the suffrage upon the negroes of the Southern States?" See also John Sherman's speech in the Senate, February 23, 1866.

‡ This was undoubtedly due to the influence of W. H. Seward, Blaine, vol. ii., pp. 63-69; Dunning, *Reconstruction*, pp. 21-22, 41-44. "The degree of that influence is a disputed point among historians, but the internal evidence points strongly

mer and autumn of 1865 wore away, it became more and more apparent that President Johnson was determined to effect the reorganization of the seven States on his own plan, before the meeting of Congress in December.* "Johnson claimed that the plan of reconstruction proposed by Congress was the destruction of the Constitution; his opponents charged that his course had been one of usurpation, and that his purpose was to establish a despotism based on rebel dominion."† Assuming powers which the radicals claimed belonged to the legislative branch of the government, he pressed his policy of reorganization through his provisional governors so vigorously that before Congress assembled five of the States had complied with the requirements of Congress and of the President. Mississippi held the first constitutional

to his having had a large share in the President's original plans, and materially aided their execution, though Johnson's strong will and hot temper marred and thwarted Seward's efforts."—George S. Merriam, *The Negro and the Nation*, p. 274. Grant on the other hand did not give Seward credit for this but thought Johnson was the leader and "that Seward for the sake of place and power followed in the political somersault."—Adam Badeau, *Grant in Peace*, p. 163, *et seq.*

* Storey, in his *Charles Sumner*, pp. 302-303, gives the feeling which was then gradually becoming prevalent among the radicals. Sumner, after a visit to Johnson, said: "I left the President last night with the painful conviction that * * * by the assassination of Abraham Lincoln the Rebellion had vaulted into the Presidential chair. Jefferson Davis was then in the casemates at Fortress Monroe but Andrew Johnson was doing his work." See also Pierce's *Sumner*, vol. iv., p. 268.

† W. A. Dunning, *The Impatchment and Trial of President Johnson*, in *Papers of the American Historical Association*, vol. iv., p. 471 (October, 1895, G. P. Putnam's Sons.)

convention in August, 1865. On August 15 Johnson telegraphed to Mr. Sharkey, whom he had appointed governor of that State, recommending that the convention give the right of suffrage to all persons of color in Mississippi who could read and write or were possessed of property to the value of not less than \$250, but the convention failed to grasp the opportunity offered.* The Mississippi convention was followed by those of South Carolina, Alabama, North Carolina, Florida and Georgia in September and October. These conventions drew up new constitutions for the States, the chief new features of which were the abolition of slavery, the repudiation of the war debt (except in Mississippi and South Carolina), and the rescinding of the ordinances of secession. Before Congress met, the States, with the exception of Mississippi,† had ratified the Thirteenth Amendment to the Constitution and on December 18, 1865, the Amendment became "valid as part of the Constitution of the United States." The States elected their officers and chose representatives to Congress.‡

Some of the Congressmen elected had been active promoters of the

* Garner, *Reconstruction in Mississippi*, pp. 84, 109; McPherson, *Political History*, p. 19.

† Garner, pp. 112, 120. Georgia did not ratify until December 9 nor Florida until December 28.

‡ For the proceedings of the various conventions see Cox, *Three Decades*, pp. 389-441; McPherson's *Handbook of Politics*, 1868, pp. 18-28; Sidney Andrews, *The South Since the War*, pp. 38-75, 83-92, 132-173, 237-287.

secession, and these facts filled the minds of the radicals with anxiety that Johnson's plans would nullify the results of the war,* yet they waited with confidence that the final word on the subject was with them; for Congress, possessing the right to judge of the qualifications of its members, would not admit one to a seat who could not take the test oath prescribed by a law passed in July, 1862. That law required a member-elect to make an oath that he had not "voluntarily borne arms against the United States since he had been a citizen thereof," or "voluntarily given aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto," and that he had "neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States" nor "yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto." Consequently when these members pre-

sented themselves for admission, the clerk refused to call their names, in accordance with the instructions of a party caucus held before Congress opened.*

Upon the convening of the first session of the Thirty-ninth Congress, which began on December 4, 1865, the House of Representatives proposed and agreed to a resolution† to appoint a joint committee, to be composed of nine members of the House and six members of the Senate, to "inquire into the condition of the States which formed the so-called Confederate States of America, report whether they or any of them are entitled to be represented in either House of Congress, with leave to report at any time, by bill or otherwise; and until such report shall have been made and finally acted upon by Congress, no member shall be received in either House from any of the so-called Confederate States; and all papers relating to the representatives of said States shall be referred to the said committee." Ten days afterward the Senate adopted this resolution, and a body known as the "Reconstruction Committee" was appointed.‡

On December 5 the President's

* Thaddeus Stevens feared that the Lincoln-Johnson plan of reconstruction, if successful, would wreck the Republican party by admitting enough Democrats from the South to reduce, in combination with Northern Democrats, the Republican majority so much as to be practically useless. He said in a speech on the opening of the Thirty-ninth Congress: "With the basis unchanged, the eighty-three southern members, with the Democrats that will in the best times be elected from the North, will always give them a majority in Congress and in the Electoral College. They will at the very first election take possession of the White House and the two halls of Congress."—*Globe*, p. 74, 39th Congress, 1st session.

* Chadsey, *President Johnson and Reconstruction*, p. 50 et seq.

† Introduced by Thaddeus Stevens, leader of the Republican majority. See McCall's *Thaddeus Stevens*, p. 258; Callender's *Stevens*, pp. 130-131.

‡ The House of Representatives appointed Messrs. Stevens, Washburne, Morrill, Grider, Bingham, Conkling, Boutwell, Blow and Rogers, as its representatives on the Committee, and the Senate appointed Messrs. Fessenden, Grimes, Harris, Howard, Johnson and Williams.

message, which was mild and conciliatory as compared with his speeches, was read in Congress and was well received by all the members except the extreme radicals. Johnson stated his plan of reconstruction calmly and without color, largely in the spirit of Lincoln's second inaugural.* With great satisfaction, he informed that body that all of the seceded States, with the exception of Texas, which would not hold its convention until the spring of 1866, had met the requirements of the reconstruction plans and were ready to resume their places in the Union.

In the summer the President, in order to obtain first hand information regarding the actual condition of affairs in the South, had sent several agents throughout the States to collect all the data obtainable. General Grant, Watterson, and Benjamin C. Truman made full and encouraging reports, but Carl Schurz rendered a contrary report that fully suited the views of the radical element.†

Though the official reports of these agents had not been rendered when Congress convened, yet the majority of both Houses were disposed to im-

pugn the motives and methods of the President in reconstructing the States and to question the results obtained. The Republican majority in Congress, "jealous of the prerogative of their body," would not sanction Johnson's plan of restoration and as the latter was equally as stubborn, the two, instead of working together, became involved in a bitter struggle. Sumner and Stevens then proposed or renewed their theories of reconstruction (see chapter I). On December 19 the President submitted to the Senate the reports of Grant and Schurz concerning conditions in the South* and the debate was formally opened with Johnson on the one side and Sumner and Stevens on the other as the principal actors.

In his report Schurz said†: "Treason does, under existing circumstances, not appear odious in the South. The people are not impressed with any sense of its criminality. * * * there is, as yet, among the Southern people an *utter absence of national feeling* * * *." In speaking of the negro problem and the question of free labor, he said that the notion was prevalent in the South "that the negro exists for the special object of raising cotton, rice and sugar *for the whites*," and that although it was admitted that the negro "has ceased to be the property of a

* Richardson, *Messages and Papers*, vol. vi., pp. 353-371; McPherson, *Handbook of Politics*, 1868, pp. 64-66.

† *Senate Executive Document* No. 2, 39th Congress, 1st session, quoted in A. B. Hart, *American History Told by Contemporaries*, vol. iv., pp. 452-458. See also Blaine, vol. ii., pp. 147-154; McPherson's *Political History*, p. 67; and for a history of Schurz's trip and the subsequent report, *The Reminiscences of Carl Schurz*, vol. iii., pp. 153-209. On general conditions see Whitelaw Reid, *After the War: A Southern Tour*.

* Truman's report, controverting that rendered by Schurz, was not sent to Congress until the spring of 1866. See *Senate Ex. Doc.* No. 43, 39th Congress, 1st session.

† *Senate Doc.* No. 2, pp. 1-106, 39th Congress 1st session.

Head Quarters Armies of the United States.

Washington, D.C. Oct. 12th, 1866.

His Excellency,

A. Johnson;

President of the United States,

Sir:

Enclosed please find report of Prot. Brig. Gen. C. B. Camstock of the result of his inspection to ascertain whether any Military organizations were forming, or being designed, in the state of Tennessee threatening the peace or security of the inhabitants of the State. I am pleased to see that no cause for apprehension exists, at least for the present.

I have the honor to be,

Very respectfully,
Your obt. Servt.
W. A. Grant
General

master, it is not admitted that he has a right to become his own master * * *.” After recounting the poverty and hardships imposed upon the people by the war Schurz said: “It is, indeed, not wonderful that, under such circumstances, they should study not how to introduce and develop free labor but how to avoid its introduction * * *”; and again: “as long as the change from slavery to free labor is known to the Southern people only by its destructive results, the people must be expected to throw obstacles in its way.”

On the contrary, Grant said in his report:* “I am satisfied that the mass of thinking men of the South accept the present situation of affairs in good faith.” He recommended that enough soldiers be maintained in the South to insure order and guarantee safety and protection to life and property, but he urged that no negro troops be sent, for “the presence of black troops, lately slaves, demoralizes labor.” He said that “the late slave seems to be imbued with the idea that the property of his late master should, by right, belong to him, or at least should have no protection from the colored soldiers.” His observations brought him to the conclusion that “the citizens of the Southern States are anxious to return to self-government, within the Union, as soon as possible; * * * that they are in earnest in wishing to do what they think is required by the government,

not humiliating to them as citizens, and that if such a course were pointed out they would pursue it in good faith.”*

Congress, however, ignored the whole scheme of reconstruction which Lincoln and Johnson had carried out, and during the last week of February, 1866, the Senate passed a resolution, concurrent with the Stevens resolution in the House, denying the right of the Southern representatives to enter Congress until the report of the Committee on Reconstruction should be rendered and acted upon.†

Undoubtedly one of the reasons (and one for which the radicals had long been in search) that led Congress to put its veto upon the policy pursued by the executive was the character of the legislation with regard to freedmen enacted by some of the Southern States during the latter part of 1865 and the early part of 1866. The purpose of this, it was alleged by the radicals, was to keep the negroes in a condition of involuntary servitude if not of actual slavery. That the Southerners were confronted with a most trying and perplexing situation cannot be doubted and this situation was little understood by the people of the North.

* Sidney Andrews says: “The attitude of the people [of South Carolina] toward the general government is, on the whole, pretty good. * * * There has been a great deal said about the existence of a sullen spirit in the State. I have not discovered much of it. * * * South Carolina is conquered and has great respect for the power of the North.”—*The South Since the War*, pp. 92-94.

† Burgess, *Reconstruction*. pp. 54-57.

* *Senate Doc. No. 2*, p. 106 *et seq.*, 39th Congress, 1st session.

This problem was the status of the former slaves in the new social order of the South. The laws that were already on the statute books had been made for the whites only, as the negro was not thought of as a freedman when they were enacted. So, therefore, these laws must necessarily be changed in order to include the negro race, and it was the drastic character of some of the enactments passed by the various States to suit the conditions peculiar to each that was particularly offensive to the North.

As many of the negroes had become roving beggars, the offence of vagrancy was so defined that few of the freedmen could escape punishment. To the negroes was given the right to own property, to testify in court when colored persons were concerned and to sue and be sued, but they could not serve on juries or in the militia, vote, nor hold office. A harsh and unnecessary apprentice system to care for the homeless young negroes was adopted. In South Carolina the laws enacted rendered very difficult the admission of negroes to certain occupations; in Mississippi the negroes could not legally rent or lease lands in incorporated towns; Florida limited the right to bear arms; and in some States it was compulsory that a negro minister have a license. Mixed marriages were strictly prohibited, as were also mixed schools, and everywhere the negro was classed as a political and social inferior, though his civil equality was substantially recognized by all. These laws became known

as the "Black Code." Blaine says these laws were all wrong and that the Southerners were simply trying to "prove to the public opinion of mankind that the negro was only fit to be a chattel; * * * that slavery was the normal and natural state of the negro; that the Northern people * * * had been deceived by a sentiment and had been following a chimera" and that "the Southern people alone understood the question." *

* Blaine, vol. ii., pp. 91-107. But Blaine seemed to forget that his own State of Maine, as well as other Northern States had similar laws respecting vagrants, idlers, etc. Dunning, in his *Reconstruction, Political and Economic*, pp. 57-58, in discussing the "Black Code," says:

"To a distrustful Northern mind such legislation could very easily take the form of a systematic attempt to relegate the freedmen to a subjection only less complete than that from which the war had set them free. The radicals sounded a shrill note of alarm. * * * In Congress, Wilson, Sumner, and other extremists took up the cry, and with superfluous ingenuity distorted the spirit and purpose of both the law and the law-makers of the South. The 'Black Codes' were represented to be the expression of a deliberate purpose by the Southerners to nullify the results of the war and to reestablish slavery, and this impression gained wide prevalence in the North.

"Yet as a matter of fact, this legislation, far from embodying any spirit of defiance toward the North, or any purpose to evade the conditions which the victors had imposed, was in the main a conscientious and straightforward attempt to bring some sort of order out of the social and economic chaos which a full acceptance of the results of the war and emancipation involved. In its general principle it corresponds very closely to the actual facts of the situation." See also Fleming, *Documentary History*, vol. i, pp. 247-312; Burgess, *Reconstruction*, pp. 44-54; McPherson, *Handbook of Politics*, 1868, pp. 29-44; *Senate Doc. No. 26*, 39th Congress, 1st session; Wilson, *Slave Power*, vol. iii., p. 600 *et seq.*; Merriam, *The Negro and the Nation*, pp. 288-293; Chadsey, *President Johnson and Reconstruction*, pp. 43-48; Garner, *Reconstruction in Mississippi*, p. 113 *et seq.*; Hollis, *Reconstruction in South Carolina*, pp. 48-51;

The Northern States regarded the granting of suffrage to negroes in the North as a question for each Northern State to decide for itself and in 1865 the question was submitted to popular vote in Connecticut, Minnesota, Wisconsin and Colorado. In each the question was defeated though the Republican party practically held undisputed control of these States. With few exceptions the political status of the negro in the Northern States "was just what it was in the Southern, just as long as the control of such status remained in the hands of the people of the States themselves. And further, even after Congress had assumed control of the domestic affairs of the Southern States, the Northerners still wished to reserve to themselves the regulation of negro suffrage within their own borders. Whatever the fate of the South, these States wanted to control their own political destiny. They did not propose to experiment with negro suffrage upon their own people." * In other words the North now took the same stand on states' rights for which they had condemned the South before the war and furthermore forced the South to accept conditions that would not have been tolerated in Northern States. What was right and proper up North was all wrong in the South and *vice versa*.

E. C. Woolley, *The Reconstruction of Georgia*, in *Columbia University Studies in History, Economics and Public Law*, vol. xiii., No. 3, pp. 476-480 (1901).

*A. H. Stone, *Studies in the American Race Problem*, pp. 31-32; see also Blaine, vol. ii., p. 92.

Even Lincoln's own State, Illinois, had rejected negro suffrage and her anti-negro legislation was as drastic as that of any other "free state" in the Union. Yet on December 1, 1865, the *Chicago Tribune*, in speaking on the freedmen statutes recently enacted by Mississippi, said:

"We tell the white men of Mississippi that the men of the North will convert the State of Mississippi into a frog pond before they will allow any such laws to disgrace one foot of soil in which the bones of our soldiers sleep, and over which the flag of freedom waves." *

Both President Johnson and Congress now began to push their reconstruction policies with persistency and the hostility became even more bitter.

Johnson's most effectual weapon was his veto power, which he used unsparingly, but even with this weapon he was powerless because of the overwhelming majority in Congress against him. On January 25, 1866, an act for enlarging the operations of the Freedmen's Bureau, established March 3, 1865 (as the "Bureau of Refugees, Freedmen and Abandoned Lands")† for the relief of the freedmen and refugees, passed the Senate by a vote of 37 to 10 and the House on February 6 by 136 to 33. The President vetoed the bill on February

* Garner, *Reconstruction in Mississippi*, p. 115, footnote.

† For the history of this bill see P. S. Peirce, *The Freedmen's Bureau, a Chapter in the History of Reconstruction*, in *Iowa State University Studies in Sociology, Economics, Politics and History*, vol. iii., No. 1, N. S. No. 74, pp. 34-45 (March, 1904); Wilson, *Slave Power*, vol. iii., chaps. xxxiii.-xxxiv.

19.* The radicals, however, could not secure the necessary majority at this time to pass the measure over the veto,† but in July Congress passed another Freedmen's Bureau bill. Johnson vetoed this also, but on July 16 Congress passed it over his veto.‡ The Bureau continued in control of the negroes until 1868 when its life was extended for a year by act of Congress in July, 1868, and it was not finally withdrawn from all the States until 1872, when it was discontinued by an act passed June 10 of that year.||

This Bureau, which was established primarily for the purpose of caring for the confiscated property, and of aiding and advising the freedmen and distributing supplies among them, became a most important institution of reconstruction. As has already been said, at the end of the war thousands of negroes left the plantations and flocked to the cities and therefore had no visible means of support, being far removed from their natural occupations and not inclined to work. The result was that they were soon in a fair way toward starving to death. Moreover, much lawlessness was in-

dulged in by the blacks, who released from the restraint of slavery, wandered over the country, committing acts of vandalism and depredation upon property, and crimes of all kinds against their former masters. The Southern States had no vagrant class before the war and no laws regarding vagrancy were on the statute books; therefore the authorities were unable to lawfully cope with the conditions that arose when the slaves were emancipated. Charity for some time was able to relieve the conditions, but the number of "contrabands" increased so rapidly that the charity bureaus found their resources inadequate. Therefore the duties of the Freedmen's Bureau were enlarged.

It undertook to supply rations and clothes to the needy and provide hospitals and medical attendance for the sick and infirm; it endeavored to prevent the infringement of the civil rights of the freedmen; in States where the blacks were not allowed to testify it established courts to try all cases in which they were involved and attempted to administer "justice" in a way that frequently maddened the whites; it circulated the Emancipation Proclamation among the blacks and attempted to teach them their new duties and responsibilities; and encouraged them to return to work and examined and approved their labor contracts. The Bureau also allotted the confiscated lands in its charge to the negroes to cultivate, and on the Atlantic coast sold the land to them at such ridiculously low rates

* Richardson, *Messages and Papers*, vol. vi., pp. 398-405; *Globe*, p. 815 *et seq.*; McPherson, *Political History*, pp. 68-72; Peirce, *Freedmen's Bureau*, pp. 55-63.

† McPherson, p. 74; Chadsey, *President Johnson and Reconstruction*, pp. 59-63; De Witt, *Impeachment*, pp. 42-44.

‡ Fleming, *Documentary History*, vol. i., p. 321; Richardson, vol. vi., pp. 422-426; Burgess, *Reconstruction*, pp. 64-67, 87-90; Blaine, vol. ii., pp. 162-172; McPherson, pp. 147-151; Wilson, *Slave Power*, vol. iii., pp. 486-498.

|| Rhodes, vol. vi., p. 186 and authorities cited.

that nearly all the blacks became possessed of the notion that the lands of the whites were to be divided among the negroes and that the government at Washington would give each of them "forty acres and a mule."* Beside this the Bureau aided the young blacks in obtaining an education by establishing schools and providing teachers from the North to such communities as desired them; and in various other ways it attempted to aid the unfortunate race.†

The result of the work of the Bureau, was, however, far different from its object, for while undoubtedly accomplishing some good, much idleness and demoralization among the negroes resulted from its establishment, and instead of promoting harmonious relations between the two races much ill-feeling was engendered among the whites against both the blacks and the Bureau. The head of the Bureau organization was a commissioner, General O. O. How-

ard, whose headquarters were in the war department; in each State under him was an assistant commissioner and under these a number of sub-commissioners, who had charge of the different districts into which each State was divided. In every locality was an agent whose duty it was to distribute rations, acquaint the blacks with the orders of the Bureau, instruct them how to act, etc. But whereas the character of the higher officials were almost uniformly good (though even Howard himself was accused and tried for malversation and dereliction of duty but acquitted by the investigating committee), the lower officials and agents, being mostly subordinate military officers, proved to be bigoted, tyrannical, unscrupulous, inefficient or corrupt.*

As slavery had been abolished by the Thirteenth Amendment it became necessary that the negro should be vested with civil rights as an incident to his new status. We have already seen what rights the State legislatures had given him, but Congress was not satisfied with the general tenor of these laws and therefore passed a civil rights law† (February 2, 1866, by the Senate, 33 to 12, and March 13 by the House 111 to 38) which was intended

* General Grant had reported (December 18, 1865) to President Johnson, after his Southern tour: "The belief widely spread among the freedmen that the land of their former owners will, at least in part, be divided among them, has come through agents of this Bureau. This belief is seriously interfering with the willingness of the freedmen to make contracts." Grant also indicated that the officers of the Bureau were useless and dangerous. For the organization and early work of the Bureau see *House Ex. Doc. No. 70*, 39th Congress, 1st session. See also Sidney Andrews, *The South Since the War*, pp. 208-213.

† For the details of the work see Peirce, *The Freedmen's Bureau*, pp. 75-174; Hollis, *Reconstruction in South Carolina*, pp. 107-129; Wilson, *Slave Power*, vol. iii., pp. 499-504; George W. Williams, *History of the Negro Race in America*, vol. ii., p. 394 *et seq.*; W. E. B. DuBois, *The Souls of Black Folk*, chap. ii.

* Peirce, *The Freedmen's Bureau*, pp. 46-54; W. E. B. DuBois, *The Freedmen's Bureau*, in *Atlantic Monthly*, vol. lxxxvii., pp. 354-365 (1901); Fleming, *Documentary History*, vol. i., pp. 319-394; Cox, *Three Decades*, pp. 442-450.

† Introduced in the Senate January 5, 1866, by Lyman Trumbull, of Illinois. *Globe*, pp. 500, 1755, 39th Congress, 1st session. See also Dunning, *Essays*, p. 92 *et seq.*; Wilson, *Slave Power*, vol. iii., pp. 684-692.

to secure equal civil rights to all citizens, without regard to color or previous condition of slavery or involuntary servitude. This placed the negroes upon an equality with the whites in acquiring, holding and conveying real and personal property, in making and enforcing contracts, in suing and giving testimony in the courts and in the enjoyment of the protection of the laws and forces of the United States. Jurisdiction was given to the Federal courts in cases arising under this act and the army and navy were placed at the disposal of the President should their use become necessary in order to enforce this act. But Johnson vetoed this measure March 27, "because it conferred citizenship on the negroes when eleven out of thirty-six States were unrepresented" and because he thought it unconstitutional.* His veto was set aside by a vote of 33 to 15 in the Senate April 6 and 122 to 41 in the House April 9, and thus became a law.

The opposition of Congress to his policies had angered Johnson and caused him to lose control over his temper. His first public outburst of passion was on Washington's Birthday, in 1866, when he made an important speech to a large popular gathering assembled in front of the Presidential mansion. In that speech

he denounced, by name, several well-known persons.* Dunning says:

"Contemporaneous and subsequent comment on this speech has devoted disproportionate attention to a few passages which manifested Johnson's tendency to offensive egotism and personalities in public speaking; if these accidents be relegated to their proper significance, the speech is a useful complement to the veto message in estimating the influence which led him, in his rage against the radicals who were harrying him, to strike at Congress as a whole."

But the radicals were not content to allow these passages to sink into obscurity nor to be forgotten, and this fact, together with Johnson's continual use of the veto, completed the breach between the two.

On April 2, 1866, the President had officially declared the rebellion at an end everywhere except in Texas and on August 20 gave official witness to its cessation there as that State in its convention had complied with the provisions of the executive policy of reconstruction.† In June the joint Committee on Reconstruction reported their suggestions of measures for reconstruction to the two Houses. The majority report declared that the State governments which had been organized under the executive policy were illegal, that the authority for reconstructing the States was vested in Congress, and that before the States should be allowed to re-enter the

* *Globe*, p. 1679; Richardson, *Messages and Papers*, vol. vi., pp. 405-413; Blaine, vol. ii., pp. 172-180; Burgess, *Reconstruction*, pp. 68-74; McPherson, *Political History*, p. 74; Chadsey, *President Johnson and Reconstruction*, pp. 68-72.

* Thaddeus Stevens, Charles Sumner, and Wendell Phillips.—*Daily National Intelligencer* (Washington, February 23, 1866); Sherman's *Recollections*, vol. i., pp. 364-368; Rhodes, vol. v., p. 573 *et seq.* and footnotes; DeWitt, *Impeachment*, pp. 50-58.

† Richardson, *Messages and Papers*, vol. vi., pp. 429-432, 434-438; McPherson, *Handbook of Politics*, 1868, pp. 15-17, 194-196.

in the United States of America

On the 4th day of July 1862

A Declaration

made by the President of the United States

in and for the State of New York

in and for the State of New York

and in and for the State of New York

in and for the State of New York

and in and for the State of New York

in and for the State of New York

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and in and for the State of New York



Union they should give some guarantee of future security. The majority also advocated that recognition be refused to those States that would not guarantee civil rights to the negro, and that those who had taken part in the secession be disfranchised from voting and disqualified from holding office.* This would disfranchise the leading whites, but Congress nevertheless framed the Fourteenth Amendment (in its original form introduced by Thaddeus Stevens, April 30, 1866) which embodied the provisions of the civil rights bill. The Senate passed it June 8 by a vote of 33 to 11, and the House June 13 by a vote of 138 to 36. It was then sent out to the States for ratification with the guarantee to the Southern States that their restoration to the Union would follow if ratified.†

* *House Reports*, ii., No. 30, 39th Congress, 1st session; Blaine, vol. ii., pp. 188-204; McPherson, *Political History*, pp. 84-101; Burgess, *Reconstruction*, pp. 84-87; Chadsey, *President Johnson and Reconstruction*, pp. 73-82. George S. Boutwell, in his *Reminiscences of Sixty Years in Public Affairs*, vol. ii., chap. xxxi., gives some of the testimony before the committee.

† The following is a copy of the Fourteenth Amendment:

"Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

"Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; but when the right to vote at any election

On July 24 Tennessee was formally admitted into the Union, against radical opposition because the State had not enfranchised the freedmen, though she had ratified the proposed Amend-

for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State (being twenty-one years of age and citizens of the United States), or in any way abridged, except for participating in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

"Section 3. No person shall be a Senator, or Representative in Congress, or Elector of President or Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid to the enemies thereof, but Congress may by a vote of two-thirds of each House, remove such disability.

"Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion shall not be questioned; but neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slaves. But all such debts, obligations and claims shall be held illegal and void.

"Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article." Thorpe, *Constitutional History*, pp. 260-271, 308-311 and authorities cited; Burgess, *Reconstruction*, pp. 74-82; Blaine, vol. ii., pp. 204-214; Wilson, *Slave Power*, vol. iii., pp. 647-660. Section 2 of the amendment is almost verbatim that offered by Justice Chase (*J. W. Schuckers, Life and Public Services of Salmon P. Chase*, p. 527).

ment on July 19.* On the 28th Congress adjourned.

The congressional elections were now approaching and the parties held their nominating conventions. The radicals were strengthened by two unfortunate occurrences in 1866, which were greatly magnified and exaggerated in the North. On the 1st, 2d and 3d of May a conflict took place between the whites and blacks in Memphis, Tenn., in which numerous persons, mostly blacks, were killed or injured.† In July another riot broke out in New Orleans because of a cleverly concocted scheme to reconvene the defunct convention of 1864 and enact a new constitution disfranchising the Confederates in order to prevent the government from falling into their power. The mayor and military commanders in New Orleans, fearing trouble, telegraphed to Washington for aid to keep the peace, but Secretary of War Stanton, who had now become hostile to President Johnson suppressed the telegrams, and the President was unaware of the trouble until the riot had been perpetrated. The fight began in the streets and was continued in the convention hall, and before it was stopped several whites and over 40 blacks had been killed and over 160 wounded.‡

* J. W. Fertig, *Secession and Reconstruction in Tennessee*, p. 77 *et seq.*; *Appleton's Annual Cyclopaedia*, 1866, p. 729; McPherson, *Political History*, p. 152; Cox, *Three Decades*, pp. 381-383; *Globe*, p. 3999, 39th Congress, 1st session.

† *House Reports* No. 101, 39th Congress, 1st session.

‡ Phelps, *Louisiana*, pp. 353-357; P. H. Sheridan, *Personal Memoirs*, p. 234 *et seq.*; Burgess,

The issues were now defined, and resolved into a choice between the President and a conservative policy of reconstruction, and the radical policies of disfranchisement of the Confederates and suffrage to the negroes. "Each side professed to represent the people and each bent all its energies to securing a favorable verdict * * *. The contest was an exceedingly bitter one."* On August 14 a convention was held in Philadelphia composed chiefly of those who supported Johnson. The object of this convention was to form a new party—the National Union party, composed of moderate Republicans and the bulk of Democrats, with President Johnson as the standard-bearer.† The opposing party was the former Union party which consisted altogether of Republicans and which soon changed its name to the Republican party. The minor parties also held conventions and either condemned or endorsed the President's policies.

Soon after the convention of the National Union party, the President with a portion of his Cabinet, General Grant, Admiral Farragut, and others, started on a political tour to Chicago and beyond. On that journey ("swinging around the circle"), the President, goaded into losing his temper, denounced Congress as an illegal body and undeserving the re-

Reconstruction, pp. 92-98; *House Report* No. 16, p. 12, 39th Congress, 1st session.

* Dunning, *Impeachment*, p. 471.

† Dunning, *Reconstruction*, pp. 71-76.

War Department
Washington City

March 11 1866

Mr President

According to your request
I had an interview with the
Louisiana Gentlemen referred to me.
Their views, as explained by them,
do not appear to conflict with any
measure of yours for restoration, or
to be in any respect objectionable.
A convention called by the joint
action of the Governor and Legislature
with your assent, and fairly representing
the people, seems to be the only means
of curing the existing evils of which
they complain.

Very respectfully
Your Obedt Servt
Edwin M Stanton

To/ The President

NEW YORK
JUN 1 11 1873

spect of the people. He even declared that a majority of its members were traitors who were "trying to break up the Government."* These speeches undoubtedly had much effect on the elections which followed and they went heavily against him, each House having a majority sufficient to carry any measures over his veto, the Senate consisting of 42 Republicans and 11 Democrats and the House of 143 Republicans and 49 Democrats.†

During the summer the President had also allowed his differences with

Congress to become a matter of dispute with his Cabinet. Feeling that they could not retain their offices under Johnson while so radically differing with him about the reconstruction, Attorney-General James Speed, Postmaster-General William Dennison and Secretary of the Interior James Harlan resigned and were succeeded by Henry Stanbery, of Ohio. A. W. Randall, of Wisconsin, and O. H. Browning, of Illinois, respectively. Secretary of War Stanton, however, while he differed with Johnson, seemed to feel that he was under obligations to the country to remain in the Cabinet and protect it from the President's designs. He was also sustained by the Republican majority in Congress and therefore decided to retain his position.

* Rhodes, vol. v., p. 617 *et seq.*: McPherson, *Political History*, pp. 127-143; De Witt, *Impeachment*, pp. 113-126. For Stevens's reply to that speech see McCall's *Stevens*, pp. 282-284; Callender's *Stevens*, pp. 157-161; also Schurz's *Reminiscences*, vol. iii., pp. 237-246.

† Burgess, *Reconstruction*, pp. 98-104; Blaine, vol. ii., pp. 237-244. For the entire campaign see Chadsey, *President Johnson and Reconstruction*, pp. 87-104.

CHAPTER III.

1867-1868.

RECONSTRUCTION ACTS: ELECTIONS AND CONVENTIONS IN SOUTHERN STATES.

District of Columbia suffrage bill—Southern States reject Fourteenth Amendment—First reconstruction act—Supplementary reconstruction act—Military districts and terms of acts—Johnson vetoes—Nebraska admitted as a State, Colorado refused admission—Tenure-of-office act—Johnson's power abridged by army appropriation bill and repeal of pardoning provision—Johnson appoints commanders of military districts—Cabinet interpretations of reconstruction acts—Congress passes second supplementary reconstruction act—Johnson removes Stanton—Appoints Grant—Removes Sheridan and Sickles—Registration in Southern States completed—Elections—Advice of Southerners—Personnel of constitutional conventions, and their work—Fate of Jefferson Davis.

The majority in Congress went steadily forward in perfecting plans for the restoration of the Union.

They foreshadowed their general line of policy toward the freedmen in the matter of suffrage by passing a bill

December 14 granting the elective franchise in the District of Columbia to persons "without any distinction on account of color or race." The President vetoed this bill but it was passed over his veto January 7, 1867, by the Senate, and January 8 by the House, and so became a law without his signature.*

In the meantime the Southern States had almost with unanimity rejected the Fourteenth Amendment. In October, 1866, Texas refused to ratify, in November Georgia did likewise, and these States were followed in December by Florida, Louisiana, Alabama, North Carolina, Arkansas, and South Carolina, and in January, 1867, by Virginia and Mississippi.†

* Edward Ingle, *The Negro in the District of Columbia*, in *Johns Hopkins University Studies in Historical and Political Science*, vol. xi., Nos. 3-4, p. 65 *et seq.* (March-April, 1893). "It is a fact not now generally known that a large portion of the Republicans shuddered at negro suffrage. They would gladly have voted to limit suffrage in Washington to intelligence and property qualifications, but Stevens outgeneraled them by a compact with Fernando Wood, the Democratic leader of the House. He appealed to Wood to unite the Democrats with him to defeat the qualified suffrage amendment for the reason, as Stevens said to Wood: 'You don't believe in negro suffrage at all, and you ought to be satisfied to make it as odious as possible by conferring it upon the most ignorant.' * * * Wood saw the advantage of having the opportunity to assail universal negro suffrage as conferred upon a host of illiterate negroes in the capital city of the nation, and it was by this combination that Stevens secured unqualified negro suffrage."—A. K. McClure, *Recollections of Half a Century*, p. 422. For the veto message see Richardson, *Messages and Papers*, vol. vi., pp. 472-483. See also McPherson, *Handbook of Politics*, 1868, pp. 114-116, 154-160.

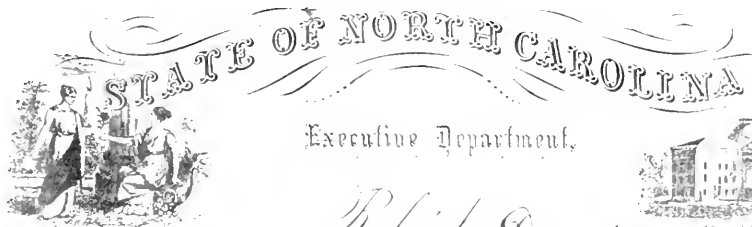
† Appleton's *Annual Cyclopædia*, 1866, 1867 under the various States; J. G. de R. Hamilton, *Reconstruction in North Carolina*, p. 167 *et seq.*

After the holiday recess Congress convened on January 3, 1867, and on February 6 Stevens introduced his bill from the Committee on Reconstruction setting up *valid* governments in the Southern States "on the basis of negro suffrage and white disfranchisement." Burgess says this was "the most brutal proposition ever introduced into the Congress of the United States by a responsible committee."* After several unsuccessful attempts on the part of Blaine, Bingham and others to amend it, the bill was passed February 13. The Senate amended and then passed it February 17, and finally after still a few more amendments it was passed again by the House February 20. The President vetoed the bill March 2, but on the same day both Houses passed it over his veto.† This was the first of the Congressional reconstruction acts.

Fleming, *Civil War and Reconstruction in Alabama*, p. 394; Reynolds, *Reconstruction in South Carolina*, p. 33; Hollis, *Reconstruction in South Carolina*; Chandler, *History of Suffrage in Virginia*, p. 329; I. W. Avery, *History of Georgia*, p. 359; Woolley, *Reconstruction of Georgia*, p. 480; Phelps, *Louisiana*, p. 362; Garner, *Reconstruction in Mississippi*, p. 121.

* "This bill was utterly indefensible on principle. It was completely at war with the genius and spirit of democratic government. * * * It was a confession of Congressional incompetence to deal with a problem which Congress alone had the right to solve. * * * The bill was a legislative solecism."—George W. Julian, *Political Recollections*, p. 306 *et seq.*

† Richardson, *Messages and Papers*, vol. vi., pp. 498-511; McPherson, *Handbook of Politics*, 1868, pp. 166-173; Pierce's *Sumner*, p. 312 *et seq.*; McCall's *Stevens*, pp. 288-292; Chadsey, *President Johnson and Reconstruction*, pp. 109-117; De Witt, *Impeachment*, pp. 203-207; Burgess, *Reconstruction*, pp. 112-122; G. T. Curtis, *Constitutional*



Executive Department,

Raleigh December 3rd 1866.

His Excellency,
Andrew Johnson,
Presdt. United States,
Washington, D. C.
Sir :-

In obedience to a resolution of the General Assembly of this State, I have the honor to transmit, herewith an authenticated copy of a Resolution of that body, "rejecting the proposed amendment, as the fourteenth article, of the Constitution of the United States."

I have the honor to be,

Very Respectfully,
Yrs. Obedt. Servt.,

Jonathan Worth
Gov. of N. Carolina.

But as this act did not provide the necessary machinery to put it in operation Congress passed another act—the Supplementary Reconstruction Act. This was vetoed by the President March 23,* but on the same day it was passed over his veto.† These bills provided for the division of the Confederate States into five military districts, and the appointment of commanders over them. The districts were as follows: (1) Virginia; (2) North Carolina and South Carolina; (3) Georgia, Florida and Alabama; (4) Mississippi and Arkansas; and (5) Louisiana and Texas. It was declared that there were no *legal* governments in the late insurrectionary States, but the existing governments were left intact, being declared provisional and subject to the paramount authority of the United States. The commanding generals were authorized to use these governments in their administration, if such use would be to their advantage.

A registration of the *qualified* voters was ordered to be made before September 1 following, the unqualified voters consisting of all who “may be disfranchised for participation in

the rebellion” and who therefore could not truthfully subscribe to the test oath.* Thus, as nearly all the whites had held civil or military office under the Confederate government, the electorate must necessarily consist chiefly of blacks, if the laws were harshly interpreted. After the registrations were complete, and at such time and places as they might choose, the commanding generals were to order elections for delegates to constitutional conventions. They were to give thirty days’ notice of the elections and the act determined that the number of delegates to these conventions should be the same as the number of members in the lower house of the various State legislatures in 1860, except in Virginia, where, because of the separation of West Virginia, the number was to be the same as that representing the remaining territory in the old legislature. The delegates to these conventions were to be apportioned among the election districts of each State according to the voting population of each. At the election of delegates, the de-

* “I solemnly swear (or affirm) that I have not been disfranchised for participation in any rebellion or civil war against the United States * * * that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterward engaged in any insurrection or rebellion against the United States or given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States or as an officer of the United States or as a member of any State legislature or as an executive or judicial officer of any State to support the Constitution of the United States and afterward engaged in insurrection or rebellion against the United States or given aid or comfort to the enemies thereof.”

History, vol. ii., pp. 364-384; Sherman, vol. i., pp. 371-373; Blaine, vol. ii., pp. 246-262, the text of the act and the several supplementary acts being given in Appendix A, pp. 681-687; *Statutes-at-Large*, vol. xiv., p. 428.

* Richardson, *Messages and Papers*, vol. vi., pp. 531-535.

† *Statutes-at-Large*, vol. xv., p. 2; Fleming, *Documentary History*, vol. i., pp. 407-411; Chadsey, *President Johnson and Reconstruction*, pp. 117-121.

sirability of holding a constitutional convention was also to be decided. If a convention were held and a constitution were framed, it should be ratified or rejected at an election to be held at thirty days' notice. Then if adopted it should be transmitted to the President and by him to Congress, which body should decide upon the right of the respective States to be represented, the condition being that the election should be free and fair, that the constitution should be adopted by a majority of the qualified voters, and that it should conform to all the requirements of the Reconstruction Act. The officers of election were to be appointed by the commanding general who also controlled all the machinery of the elections.*

One of the harsh features of this measure was the provision in section five which declared that the proposed Fourteenth Amendment must be ratified by three-fourths of *all* the "States" before the "rebel States" would be allowed representation in Congress. So that the Southern States were still at the mercy of the Northern States no matter if the former fulfilled every condition of the act in letter and spirit. Burgess says:

"No matter how speedily and sincerely the legislature of Virginia might ratify the proposed Amendment and fulfil all the other conditions required by the Act Virginia must remain under military despotism until a very large number of the Northern 'State' legislatures had pleased to ratify the proposed Amendment. * * * It was unconscionable, though it was one of the things about this measure which was constitutional."

President Johnson in vetoing this bill argued that the meaning of the required test oath was so ambiguous that it would prove a "most terrible means of oppression" in the hands of the military and election officials and that the evident purpose of the bill was "to disfranchise a great body of respectable white people and create a new electorate on the basis of universal negro suffrage." Its terms prevented the natural leaders of opinion in the South "from voting for delegates to the conventions and from voting for the ratification of the constitutions." "No law so unjust in its policy, so direful in its results had passed the American Congress since the Kansas-Nebraska Act of 1854."* "Congress did a monstrous thing, and committed a great political error, if not a sin, in the creation of this new electorate. It was a great wrong to civilization to put the white race under the domination of the negro race * * * which has never of itself succeeded in subjecting passion to reason, and has never, therefore, created any civilization of any kind. To put such a race of men in charge of a 'State' government in a system of federal government, * * * and to do this in communities with a large white population is simply to establish barbarism in power over civilization."†

Fearing that appeals from the military tribunals established by the

* Rhodes, vol. vi., p. 23.

† Burgess, *Reconstruction*, p. 133; see also Dunning, *Reconstruction*, pp. 109-111.

* Burgess, *Reconstruction*, pp. 129-132.

reconstruction acts to the Supreme Court might be decided against them, the leaders of the Republican party rushed a bill through both Houses depriving the Supreme Court of jurisdiction over such appeals. The President vetoed this bill but it finally became a law over his veto March 27, 1867.*

In the meantime Congress disposed of the question of admitting Colorado and Nebraska into the Union as States. The bills for that purpose had been before Congress at a previous session but Congress did not pass them. The bills as finally passed, made it mandatory that each State incorporate a provision in its constitution granting impartial suffrage to all citizens, and that each ratify the amendment to the Constitution which made the freedmen citizens of the United States. The President vetoed these bills, but that for the admission of Nebraska was passed by a two-thirds vote, and the Territory was admitted into the Union by proclamation March 1, 1867.† Colorado lacked the necessary two-thirds majority in the Senate and the bill was not returned to the House.

This action was followed by the passage of a bill known as the Tenure-of-Office Act, introduced by Mr. Williams, of Oregon, in December, 1866.‡ It was intended to limit the authority

of the President in making official appointments and removals from office. Among other things it took from him the power to remove a member of the Cabinet, excepting by permission of the Senate, and declared that Cabinet officials should hold office "for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the consent of the Senate." This bill was intended to nullify, as much as possible, the influence of the President, for Johnson had been dismissing radical office-holders in order to strengthen his position in his struggle with Congress. Beside the desire on the part of Congress to check Johnson's influence, the members of that body wished to distribute some of the patronage themselves.* The bill provided that should any one accept or exercise or attempt to exercise any office contrary to the act he should be guilty of a high misdemeanor, punishable by a maximum fine of \$10,000 or imprisonment for five years or both at the discretion of the court. It made "the removal, appointment or employment of any officer contrary to the provisions of the Act, or the preparation, signing, sealing, countersigning or issuing of any commission of office or letter of

* Curtis, *Constitutional History*, vol. ii., p. 374.

† Richardson, *Messages and Papers*, vol. vi., pp. 413-416, 483-492; McPherson, *Handbook of Politics*, 1868, pp. 81-83, 160-166.

‡ Fleming, *Documentary History*, vol. i., pp. 404-407; DeWitt, *Impeachment*, pp. 180-199.

* "Mr. Johnson was no civil service reformer, and the steadfastness with which he employed this great weapon for the purposes of his policy gave bitter offense to the Congressional majority, whose members found themselves cut off from the spoils."—Dunning, *Impeachment*, p. 472. See also DeWitt, *Impeachment*, p. 180 *et seq.*

authority in respect to any such appointment or employment high misdemeanors," and "forbade the officers of the Treasury and all officers of the United States to pay any money, salary or compensation to any person claiming to hold any office or employment contrary to the provisions of this Act" under penalty of being adjudged guilty of a high misdemeanor, both the latter conditions being punishable with the same penalties as in the first case. This "monstrous measure" was sent to the President for approval on the same day as the first Reconstruction Act—February 20, 1867, and was also vetoed by him on the same day as the latter—March 2. But the President's veto received the same treatment as in the case of the Reconstruction Act and the measure became law by a two-thirds majority.*

Another measure was also passed at this time, the "rider" to the army appropriation bill, which abridged Johnson's power as commander-in-chief of the army, and in fact practically deprived him of command. This measure compelled the President to issue his orders through the general of the army, the latter's headquarters being fixed at Washington. The President could not relieve that officer nor assign him to other duties except at his own request without the previous approval of the

Senate. The bill also contained the provision that before orders could be issued to or through the general, in certain cases, the President must have the consent of the Senate. Burgess says:

"It was not only a usurpation by Congress to pass such an act, but it was a mean thing to do it as a section of an appropriation bill; and there is no escaping the suspicion that it had a sinister purpose, namely, to entrap the President in the commission of what Congress had made a high misdemeanor, and open the way for his impeachment and expulsion from office. The President signed the bill, however, in order to save the appropriations for the support of the army, although he protested strongly against the seizure of his constitutional powers by the Congress." *

In July, 1862, a bill had been passed (a section of the Confiscation Act of July 17, 1862) giving the President power to grant amnesty and pardon to those who had been engaged in the secession. The alleged abuse of that power by President Johnson alarmed the radicals and the

* Burgess, *Reconstruction*, pp. 128-129; text given in Fleming, *Documentary History*, vol. i., p. 403. Boutwell, in his *Reminiscences*, vol. ii., p. 108, says that under Stanton's dictation he (Boutwell) "after such consultation as seemed to be required, drafted amendments to the Appropriation Bill for the Support of the Army" containing such provisions as enumerated above and that "these provisions were taken by me to Mr. Stevens * * * and after some explanation, the measure was accepted by the committee and incorporated in the Army Appropriation Bill." It was certainly a strange spectacle for an *official adviser* of the President to conspire with a United States Senator and the chairman of a House Committee to set a trap into which they hoped the President would fall in order that they might impeach him. And stranger still that Congress took away the President's privilege of dismissing a member of his official family whom he knew was conspiring against him. Dunning says that Stanton's "amazing record of duplicity strongly suggests the vagaries of an opium-eater."

* Burgess, *Reconstruction*, pp. 122-128; Blaine, vol. ii., pp. 267-274; Richardson, *Messages and Papers*, vol. vi., pp. 492-498; McPherson, *Handbook of Politics*, 1868, pp. 173-178.

law was repealed January 8, 1867, but Johnson simply pocketed the resolution and it became a law without his signature January 21.

The second session of the Thirty-ninth Congress closed at mid-day on March 4, 1867, and immediately afterward the first session of the Fortieth Congress was begun. The radicals in Congress were disquieted by painful forebodings of evil should the President be left without restraint from March until December, although much of his power had been taken away by the acts before mentioned. For this reason provision had been made in the last session of the Thirty-ninth Congress for the immediate assembling of the Fortieth Congress on the expiration of its predecessor. That first session continued until March 30, when a special executive session began, and at the conclusion of this session both Houses adjourned to meet on July 3, the conduct of the President seeming in the minds of the radicals to justify this measure.

Though President Johnson did not favor the congressional plan of reconstruction, still he proceeded to carry out the provisions of the measures which Congress had passed over his veto. On March 11 he issued an order through the adjutant-general assigning the officers to their districts. General John M. Schofield was assigned to the first district; General Daniel E. Sickles to the second; General George H. Thomas to the third (he was transferred on the 15th and

General John Pope substituted in his place); General E. O. C. Ord to the fourth; and General Philip H. Sheridan to the fifth.* As there were many doubtful points in the laws passed by Congress, the President and his Cabinet (with the exception of the Secretary of War, Stanton, who voted against the act†) on June 20 sent to the commanding generals a list of interpretations which somewhat favored the South.‡ On July 19, however, Congress passed an act (drafted by Stanton and known as the Second Supplementary Reconstruction Act||) over the President's veto, reversing the Cabinet's interpretations, and putting the severest construction on the former acts. Grant was empowered to appoint and remove, and the generals were instructed not to obey the orders of any civil officer. This authority made Grant "in many respects independent of the President." The time for completing the registrations was also extended at the discretion of the district commanders to October 1, and the registry board was ordered to revise the registration lists during the last few days before

* Dunning, *Essays*, p. 144.

† Gorham, *Life of Stanton*, vol. ii., p. 360 *et seq.*

‡ Dunning, *Essays*, pp. 125, 148, 153, 180; *Applton's Annual Cyclopædia*, 1867, pp. 738-739; Burgess, *Reconstruction*, pp. 136-138; Fleming, *Documentary History*, vol. i., pp. 411-415; Cox, *Three Decades*, pp. 378-381; Richardson, *Messages and Papers*, vol. vi., pp. 527-531, 552-556; *Senate Ex. Doc. No. 14*, p. 262 *et seq.*, 40th Congress, 1st session.

|| *Statutes-at-Large*, vol. xv., p. 14; Gorham's *Stanton*, vol. ii., p. 373; Fleming, *Documentary History*, vol. i., pp. 415-418; Richardson, vol. vi., pp. 536, 545.

an election and strike off or add such names as their judgment might dictate.* On July 20 Congress adjourned to November 21, against the energetic protest of the radicals, especially Sumner, not to leave Johnson so long unrestrained.†

Johnson soon afterward proceeded to remove the Secretary of War, Mr. Stanton. On August 5, 1867, he addressed a note to Mr. Stanton, in which he said: "Public considerations of a high character constrain me to say that your resignation as Secretary of War will be accepted." Mr. Stanton immediately replied: "Public considerations * * * constrain me not to resign the office of Secretary of War before the next meeting of Congress."‡ A week after this correspondence the President directed General Grant, who was still friendly with him, to assume the duties of Secretary of War. Grant obeyed and Stanton withdrew under protest.‡|

The President on August 17, in the face of the most earnest protests of the new Secretary of War and of Chief Justice Chase and in fact against the opinion of the entire Cabi-

net,* removed General Sheridan from the command of the fifth military district (Louisiana and Texas) and on August 26 also removed General Sickles from command of the second district (North and South Carolina).† Sheridan's place was subsequently filled by generals Griffin, Mower, Hancock, Buchanan, Reynolds and Canby; General Meade succeeded Pope (December 28, 1867) in command of the third district; General E. R. S. Canby took the place of Sickles; Schofield was followed by Stoneman, Webb and Canby in the first, and Ord by Gillem, McDowell and Ames in the fourth.‡

The military commanders now took possession and proceeded to administer the government in conformity to the provisions of the reconstruction acts. The civil governments were replaced by martial law and the work of registering the voters proceeded. Boards of registry consisting of three men were appointed to register the voters, the size of the districts over which these boards had control depending upon the pleasure of the commanding generals. All negroes "twenty-one years of age and upwards" were allowed to register while

* Burgess, *Reconstruction*, pp. 138-142; Chadsey, *President Johnson and Reconstruction*, pp. 122-124.

† *Globe*, p. 732, 40th Congress, 1st session.

‡ Gorham's *Stanton*, vol. ii.; *Trial of Andrew Johnson*, vol. i., pp. 149-152. Sumner, on hearing of the President's actions in relation to Stanton, wrote a note to the latter from his desk in the Senate saying: "Stick, Stanton, Stick."—Storey's *Sumner*, p. 347; Dawes's *Sumner*, p. 266.

|| Badeau, *Grant in Peace*, pp. 84-94; McPherson, *Political History*, p. 261; Blaine, vol. ii., pp. 348-349; *House Ex. Doc. No. 57*, 40th Congress, 2d session.

* Robert B. Warden, *Private Life and Public Services of Salmon P. Chase*, pp. 669-671; Badeau, pp. 88-90, 95-105; W. C. Church, *U. S. Grant and the Period of National Preservation and Reconstruction*, pp. 354-356; Hamlin Garland, *U. S. Grant, His Life and Character*, p. 366 *et seq.*; Sheridan's *Memoirs*, vol. ii., pp. 252-280; *House Ex. Doc. No. 57*, p. 1, 40th Congress, 2d session.

† Hollis, *Reconstruction in South Carolina*, pp. 67-71.

‡ Dunning, *Essays*, p. 144; Blaine, vol. ii., pp. 296-300.



much confusion arose as to the terms of the law concerning the whites. The radical interpretations of Congress were used in all disputes and the harsh nature of those interpretations compelled the disfranchisement of many who otherwise could have voted; and the test oath before mentioned excluded hosts of others.

The boards of registry completed their work on October 1, 1867, and it was found that the negroes registered outnumbered the whites in Louisiana (84,436 to 45,218), Mississippi (about three-fourths of the registered voters who numbered 136,690), Florida (16,089 to 11,914), Alabama (104,518 to 61,295), and South Carolina (78,982 to 46,346); in Georgia the races were about equal (95,168 to 96,333); and the whites were in the majority in Texas (49,497 negroes to 59,633 whites), Arkansas (total registration 66,831), North Carolina (72,932 to 106,721), and Virginia (105,832 to 120,101).^{*} It was estimated (by the commanders whose methods of estimating were "more ingenious than convincing") that 17,000 whites had been disfranchised in Virginia, over 10,000 in Georgia, 12,000 in North Carolina and 9,000 in South Carolina.

As soon as the registry was completed elections were held to decide whether constitutional conventions should be held and also to choose delegates to them in case of a favorable

vote. These elections were held during the autumn of 1867 in all the States except Texas where the election did not take place until February, 1868, and in every case the majority was heavily in favor of the conventions, the negroes voting for and the whites largely against. Benjamin H. Hill,^{*} B. F. Perry and Herschel V. Johnson urged the whites to register and to vote against the conventions as "nefarious schemes" of the radicals, saying that military government was "far preferable to such a government as will probably be inaugurated" under the reconstruction acts. On the other hand, such men as Robert E. Lee, General Longstreet and Joseph E. Brown openly declared it to be the best policy to support the conventions and accept the Fourteenth Amendment and the reconstruction acts as "the starting point for future issues."[†] Lee said: "The question then is, shall the members of the convention be selected from the best available men in the State or from the worst?"[‡] while Brown by his strenuous labor carried his State — Georgia — for the convention. || The conventions which were then

^{*} In a speech at Atlanta, July 16, 1867. See also his life by his son, pp. 51, 299, 305.

[†] James Longstreet, *From Manassas to Appomattox*, p. 636 et seq.

[‡] J. W. Jones, *Personal Reminiscences, Anecdotes and Letters of Robert E. Lee*, p. 226 (D. Appleton & Co.) See also *Recollections and Letters of General Robert E. Lee* by his son, pp. 162-165, 299-301.

|| Herbert Fielder, *Life and Times and Speeches of Joseph E. Brown*, pp. 424-439, 531 et seq.; Avery, *History of Georgia*, p. 336 et seq.

^{*} Rhodes, vol. vi., pp. 82-83; Burgess, *Reconstruction*, pp. 146-147; Dunning, *Essays*, pp. 188-189; *Senate Ex. Doc. No. 53*, 40th Congress, 2d session.

called to frame constitutions consisted chiefly therefore of ignorant negroes and whites, who were under control of carpet-baggers and native scalawags, the majority of the controlling element being officials or former officials of the Freedmen's Bureau. Figures differ as to the actual division of blacks and whites in these conventions but the following figures are as near to actual facts as possible: Virginia, 81 whites, 24 blacks; North Carolina, 107 to 13; South Carolina, 51 to 73; Georgia, 133 to 33; Florida, 28 to 18; Alabama, 92 to 16; Mississippi, 68 to 17; and Texas, 81 to 9.*

The conventions, dubbed "Black Crook," "Congo," "Ring-Streaked and Striped-Negro," "Black and Tan," "Menagerie," etc., then proceeded to draw up their constitutions. In some States it was made a penal offense to separate the races in the schools or to provide separate schools for the blacks and whites, to maintain different hotels for each race or to run separate cars, etc.; while the majority of these constitutions created public school systems that could never be successfully operated. The Georgia and North Carolina constitutions called for universal negro suffrage and held no one ineligible to office unless disqualified by acts of Congress, but the other States adopted severe measures for disfranchisement and harsh restric-

tions on holding office and in many cases stringent oaths were required.*

By May, 1868, the conventions in all the States, except Texas, had adopted constitutions and they were then submitted to the people for approval. In Alabama the radicals, of whom eighteen were negroes,† were in control of the constitutional convention; and when the vote on the constitution was taken, February 4, 1868, it was found that 75,000 whites and 93,000 negroes had been registered, a total of 168,000 voters. Congress had decreed that unless a majority of the registered voters took part in the election the constitution would fail of adoption. It was therefore necessary that over 84,000 should vote; but only 70,812 votes were cast because the whites stayed away from the polls. Thus ratification was seemingly defeated. But Congress passed a bill which became law, March 11, providing that a simple majority of the votes cast was enough to make the ratification valid. Though this act was passed over a month after the election, its terms were applied to the Alabama case and that State was therefore classed as having ratified.‡ In March Arkansas adopted her con-

* Burgess, *Reconstruction*, pp. 148-151.

† Fleming, in *Reconstruction in Alabama*, p. 517, says there were eighteen negroes but that the number is uncertain as the color of four or five of the delegates is doubtful; Rhodes, vol. vi., p. 88, says there were sixteen negroes.

‡ Burgess, *Reconstruction*, pp. 151-154; G. T. Curtis, *Constitutional History*, vol. ii., pp. 393-396; McPherson, *Political History*, p. 336.

* Rhodes, vol. vi., p. 88 and footnotes. See also the works cited on the various States for the personnel of these conventions.

the assurance of my
cordial and warm
cooperation with you
in your exertions to better
here or at home - I am
henceforth no longer
at present - I must return
with confidence to the
highest consideration and
esteem for your honesty
and efficiency and best
wishes for our common
country & humanity
Yours most respectfully
Alexander H. Stephens
an excellent
friend Johnson
Dorchester

1875-1876

1877-1878

stitution by a majority of 1,316; and was followed in April and May by Florida, Louisiana, North Carolina and South Carolina.

The election in Georgia, April 20, 1868, was animated, the contest for the governorship being considered more important than that over the adoption of the constitution. The Democrats nominated General John B. Gordon, one of Lee's generals who was eligible for the office because he had not held office before the war nor had taken an oath to support the constitution of the United States. The Republicans nominated Rufus B. Bullock, who had lived in Georgia for nine years and was a prominent railroad man. Bullock was elected by over 7,200 majority and the constitution was ratified by 17,699. The State legislature was conservative by about 30 votes, but among the Republicans were 28 negroes, two of whom were notorious.* In Mississippi the convention had 17 negroes among its members and at the election of June 22, 1868, the constitution adopted by the convention was so unpopular, because of several provisions of a proscriptive character, that it was defeated by a vote of 63,860 to 56,231.† Texas, likewise, because of an attempt to insert some obnoxious features in the constitution failed to ratify in the

spring of 1868,* and the same was the situation in Virginia where the constitution was not submitted until July 9, 1869.† These States therefore continued under military rule.

During all this time Jefferson Davis had been languishing in prison at Fortress Monroe, where he had been placed in chains after his capture in 1865, with an officer and two soldiers constantly in his cell, and irons on his ankles to prevent his escape. His health soon began to fail and in the spring of 1866, after much petitioning to Johnson, his wife and friends were allowed to visit and succor him. Davis would not, however, petition the government for pardon though urged to do so by his friends, but soon the press began an agitation either for his trial or release, the *National Republican* saying: "Something ought in justice to be done about his case. By every principle of justice as guaranteed by the Constitution, he ought to be released and brought to trial." This agitation continued until Davis was transferred to the civil authorities for trial, but the case was not tried and Davis was released in May, 1867, upon a bond for \$100,000 signed by Horace Greeley, Cornelius Vanderbilt, Benjamin Wood, Gerrit Smith, and August Schell, all of New York; D. K. Jackson and A. Welsh, of Philadelphia; and James Thomas, W.

* Avery, *History of Georgia*, p. 383 et seq.; Woolley, *Reconstruction of Georgia*, pp. 498, 506, 552.

† J. W. Garner, *Reconstruction in Mississippi*, pp. 189-216; Edward Mayes, *Life, Times and Speeches of L. Q. C. Lamar*, pp. 160-163.

* *Appleton's Annual Cyclopædia*, 1868, pp. 729-733.

† Dunning, *Essays*, p. 207; John W. Schofield, *Forty-Six Years in the Army*, pp. 397-402.

H. McFarland; Thomas W. Boswell, Richard B. Haxall, John M. Botts, Isaac Davenport, W. H. Lyons, Abraham Warwick, John A. Meredith, Gustavus A. Myers, W. Crump, and James Lyons, all of the South. After his release Davis practically disappeared from history, his chief work being the writing of his book. *The Rise and Fall of the Confederate*

Government. He died at New Orleans, La., December 6, 1889.*

* *Avary, Dixie after the War*; Dodd, *Jefferson Davis*; Jones, *Memorial Volume of Jefferson Davis*; Mrs. Davis, *Jefferson Davis, A Memoir*; Walthall, *Jefferson Davis: Official Records, War of the Rebellion*, ser. ii., vol. viii.; Rhode-, vol. v., pp. 50-59; *Appleton's Annual Cyclopaedia*, 1867-68; McCulloch, *Men and Measures*, pp. 408-412; Richard Taylor, *Destruction and Reconstruction*, pp. 239-248; Schueker's *Chase*, pp. 533-545; Horace Greeley, *Recollections of a Busy Life*, pp. 412-416.

CHAPTER IV.

1868-1869.

IMPEACHMENT OF JOHNSON: ELECTION OF GRANT.

Resolution for impeachment introduced — President's message — Sumner's characterization — Reports of Judiciary Committee — Not adopted — Johnson's reasons for Stanton's removal — Johnson antagonizes Grant — Johnson again removes Stanton — Appoints Thomas — Stanton refuses to vacate — Articles of impeachment — Opening of trial — The vote — Johnson acquitted — Schofield appointed Secretary of War — Southern States ratify Fourteenth Amendment — Official announcement — Constitutionality of ratification — Political conventions — Party platforms — Election of Grant and Colfax — President Johnson's last annual message — Amnesty proclamation — Senate asks for authority for action — Fifteenth Amendment framed — Close of President Johnson's term — Grant inaugurated — His Cabinet — Repeal of Tenure-of-Office Act.

During this same period Congress made a determined effort to depose the President. Though he had been shorn of the greater part of his military and civil power by acts of Congress, the constant use of the veto by Johnson had angered the radicals in Congress and they now attempted to revenge themselves by impeaching him. The initial proceedings which led to the formal trial of the President were instituted during the last session of the Thirty-ninth Congress. Mr. James M. Ashley, a Representa-

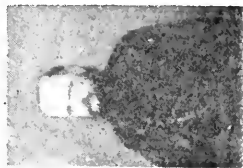
tive from Ohio, after an unsuccessful attempt on December 17, 1866, arose in his place January 7, 1867, and solemnly charged "Andrew Johnson, Vice-President, and acting President of the United States, with the commission of acts which, in the estimation of the Constitution, are high crimes and misdemeanors, for which he ought to be impeached." Mr. Ashley offered specifications and a resolution instructing the Committee on the Judiciary to make inquiries on the subject. He charged the Presi-



Chief-Justice Chase



President Davis



THE PETIT JURY IMPANELED TO TRY JEFFERSON DAVIS. THIS WAS THE FIRST MIXED PETIT JURY EVER IMPANELED IN THE UNITED STATES. JUDGE UNDERWOOD, NOT CHIEF JUSTICE CHASE, PRESIDED.

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dent with "usurpation of power and violation of law; in that he has corruptly used the appointing power; in that he has corruptly used the pardon-ing power; in that he has corruptly used the veto power; in that he has corruptly disposed of public property of the United States; in that he has corruptly interfered in elections, and committed acts which, in contemplation of the Constitution, are high crimes and misdemeanors."*

The President sent his annual message to the Fortieth Congress December 3, 1867, and "put forward a strong argument, couched in respectful language, against the policy and constitutionality of the Reconstruction Acts," urging their repeal and the admission of representatives from the Southern States to their seats in Congress.† At the close of his message, however, he introduced some ambiguous expressions as to whether it was the duty of the President to oppose or to enforce Congressional acts which he believed to be unconstitutional. These remarks were interpreted by the radicals to be a threat on the President's part to violate the Reconstruction and Tenure-of-Office acts. Senator Sumner characterized the message as "an incendiary document, calculated to stimulate the rebellion once more, and to provoke civil war. It is a direct appeal to the worst passions and to

the worst prejudices of those rebels who, being subdued on the battle-field, still resist through the aid of the President of the United States. It is the evidence of a direct coalition between the President and the former rebels."*

The Judiciary Committee appointed by the last session of the Thirty-ninth Congress‡ had now exhaustively investigated the charges against the President and reported that the evidence did not warrant impeachment proceedings, but they were sent back to their work for further consideration—an order that was practically a command to hand down an indictment, evidence or no evidence. Consequently on November 25, 1867, the Committee, by a majority of one, reported the following resolution: "Resolved: That Andrew Johnson, President of the United States, be impeached of high crimes and misde-

* DeWitt, *Impeachment*, pp. 311-312. Julian says: "Andrew Johnson was no longer merely a 'wrongheaded and obstinate man,' but a 'genius in depravity,' whose hoarded malignity and passion were unfathomable. He was not simply 'an irresolute mule' * * * but was devil-bent upon the ruin of his country. * * * No extravagance of speech or explosion of wrath was deemed out of order during this strange dispensation in our politics."—*Political Recollections*, p. 314 *et seq.*

† The majority members were George S. Boutwell, of Massachusetts, Francis Thomas, of Maryland, Thomas Williams, of Pennsylvania, William Lawrence, of Ohio, and John C. Churchill. The minority members were James F. Wilson, of Iowa, and Frederick E. Woodbridge, of Vermont. There were also two Democratic members of the Committee—Samuel S. Marshall, of Illinois, and Charles A. Eldridge, of Wisconsin—who submitted a separate report.

‡ For the methods of securing evidence see DeWitt, *Impeachment*.

* McPherson's *Handbook of Politics*, 1868, pp. 187-188; DeWitt, *Impeachment*, p. 153.

† Richardson, *Messages and Papers*, vol. vi., pp. 558-581.

meanor." The minority of the Committee presented a resolution against impeachment.

The majority report, after debate, was rejected on December 7, by a vote of 100 against 57.* Dunning says:

"The twelve hundred printed pages of evidence submitted were in reality, however, a signal vindication of Mr. Johnson: for the testimony of witnesses that ranged from as high as the cabinet officers to as low as convicted felons in prison disclosed nothing in either his public or his private life that even the bigoted Boutwell could say was an illegal act. Yet this typical exponent of the Puritan political conscience presented a resolution that the President be impeached. Though many of the moderate Republicans in both House and Senate believed that the removal of Johnson would be a good thing for the country, they hesitated to proceed to so serious a step till some specific act of a criminal character could be alleged as a reason."†

Hence the action of the House. On December 12 the President sent a message to Congress in which he gave his reasons for the removal of Secretary Stanton.‡ These reasons were not satisfactory to the Senate,|| and a

* *Globe*, p. 68, 40th Congress, 2d session; McPherson, *Political History*, p. 264; Blaine, vol. ii., pp. 341-347; Dunning, *Impeachment*, pp. 148-149; DeWitt, *Impeachment*, pp. 288-314.

† *Reconstruction. Political and Economic*, p. 100.

‡ Richardson, *Messages and Papers*, vol. vi., pp. 583-594.

|| Blaine, however, says (vol. ii., p. 349) that Johnson in his message "certainly exhibited to an impartial judge, uninfluenced by personal or party motives, strong proof of the utter impossibility of Mr. Stanton and himself working together harmoniously in the administration of the government. If the President of the United States has the right to constitutional advisers who are personally agreeable to him and who share his personal confidence, then surely Mr. Johnson gave unanswerable proof that Mr. Stanton should not remain a member of his cabinet." With regard to Stanton's reinstatement by the Senate against

month later (January 13, 1868), the Senate by a vote of 35 to 6 reinstated the former Secretary. General Grant thereupon quietly retired from the office. This act made the President very angry. He reproached Grant for yielding to the will of the Senate; and charged him with having broken his promise not to turn over the office to Stanton before notifying Johnson, as the latter wished to get the case before the courts.

This promise Johnson proved by the members of his Cabinet. But his action in this matter was most ill-advised for he needed Grant's friendship at this time. Johnson was not prudent when crossed in his purposes and had not that keen foresight which would have told him that he would be worsted in the public mind in a contest with Grant, the popular hero. So he plunged headlong into the unfortunate controversy and made Grant his life-long enemy. In the correspondence that ensued, which found its way to the public, a question of veracity between Johnson and Grant arose; and finally Grant felt compelled to say to Johnson:

"When my honor as a soldier and my integrity as a man have been so violently assailed, pardon me for saying that I can but regard this whole matter, from beginning to end, as an attempt to

Johnson's earnest and repeated protests. Blaine says: "In the *prima facie* statement of this case the Senate was in the wrong. Upon the record of its votes and the expression of opinion by its own members, the Senate was in the wrong. The history of every preceding Administration and of every subsequent Administration of the Federal Government proves that the Senate was in the wrong."—p. 354.

involve me in the resistance of law, for which you hesitated to assume the responsibility in orders, and thus to destroy my character before the country." *

From that time Grant took the side of Congress and actively participated in the impeachment efforts.†

On February 21 Johnson issued an order to Mr. Stanton to vacate the office of Secretary of War, and another to Adjutant-General Lorenzo Thomas to take the deposed Secretary's place. Thomas proceeded to the office of the Secretary of War, and demanded the place to which the President had assigned him, but "without indicating what course he would pursue with reference to the order of removal Stanton asked until the next day to adjust his personal affairs in the office."‡ This was granted. As this was only a means of securing delay it practically amounted to a refusal to vacate the office. Thomas had indiscreetly boasted that he would use force to eject Stanton and the latter caused his arrest the next day on a charge of violating the Tenure-of-Office Act. Thomas was released on bail and again formally demanded possession, but Stanton peremptorily refused and ordered Thomas to his duties as

Adjutant-General.* President Johnson then tried to bring the defiant Secretary before the Supreme Court by a writ of *quo warranto*, but before any decisive action could be taken Congress had instituted its impeachment proceedings. Johnson dared not call upon the military to eject Stanton and the latter retained his office.† The President also officially communicated these orders to the Senate on the next day and drew from that body a resolution that he had no authority, under the Constitution, for his act.

Consequently on the 24th the resolution for impeachment was adopted by the House by a vote of 126 to 47 — a strictly party vote.‡ The Speaker then appointed one committee to notify the Senate of the action of the House and another to prepare the articles of impeachment.|| On the 29th this latter committee presented nine articles of impeachment, which, with slight alterations, were accepted

* DeWitt, *Impeachment*, pp. 350-356.

† Rhodes, vol. vi., pp. 106-112; *Trial of Andrew Johnson*, vol. i., p. 445.

‡ For the opinions of the various members and the division of the vote see Blaine, vol. ii., pp. 355-362; De Witt, *Impeachment*, p. 358 *et seq.*; *Globe*, p. 1400, 40th Congress, 2d session.

§ Stevens and Bingham were appointed to notify the Senate and Boutwell, Stevens, Bingham, J. F. Wilson, Logan, Julian and Hamilton Ward to prepare the articles of impeachment. McCall in his *Thaddeus Stevens*, p. 335, says that as Johnson recognized Stevens as his most dangerous enemy, "it was most fitting, therefore, that the first declaration of impeachment made to the Senate should be made in the name of the House of Representatives by Thaddeus Stevens." See also Callender's *Stevens*, p. 148.

* The correspondence between Johnson and Grant is given in Richardson, *Messages and Papers*, vol. vi., pp. 602-620; W. C. Church, *U. S. Grant*, pp. 356-360; McPherson, *Political History*, p. 283 *et seq.*

† Burgess, *Reconstruction*, pp. 163-168; Garland, *U. S. Grant*, pp. 369-372; Badeau, *Grant in Peace*, pp. 112-115, 134-136; *Appleton's Annual Cyclopædia* for 1868, p. 649 *et seq.*; DeWitt, *Impeachment*, pp. 315-335.

‡ Dunning, *Impeachment*, p. 481.

on the 2d of March. They were as follows:

(1) Unlawfully ordering the removal of Mr. Stanton, as Secretary of War, in violation of the provisions of the Tenure-of-Office Act; (2) Unlawfully appointing General Lorenzo Thomas as Secretary of War *ad interim*; (3) Substantially the same as the second charge, with the additional declaration that there was, at the time of the appointment of General Thomas, no vacancy in the office of Secretary of War; (4) Conspiring with Lorenzo Thomas, and other persons to the House of Representatives unknown, to prevent, by intimidation and threats, Mr. Stanton, the legally appointed Secretary of War, from holding that office; (5) Conspiring with General Thomas and others to hinder the execution of the Tenure-of-Office Act, and, in pursuance of this conspiracy, attempting to prevent Mr. Stanton from acting as Secretary of War; (6) Conspiring with General Thomas and others to take forcible possession of the property in the War Department; (7) and (8) Repeated substantially the charges of the conspiracy to prevent the execution of the Tenure-of-Office Act, and for taking possession of the War Department; (9) Charged that the President called before him the commander of the forces in the department at Washington, and declared to him that a law passed on the 30th of June, 1867, directing that "all orders and instructions relating to military operations issued by the President or Secretary of War, shall be issued through the General of the Army, and in case of his inability, through the next in rank," was unconstitutional, and not binding upon the commander of the department of Washington; the intent being to induce that commander to violate the law and to obey orders issued directly by the President.

Two additional charges were presented by the managers* March 3, which were adopted by the House. The first charged that the President had, by inflammatory speeches during his "swing around the circle," at-

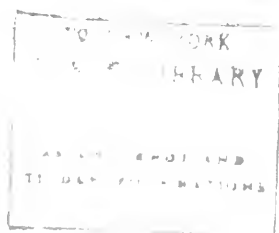
tempted, with a design, to cast aside the authority of Congress, to bring them into disgrace, and to excite the odium and resentment of the people against Congress and the laws they enacted. The second charged that in August, 1866, the President, in a public speech at Washington, declared that Congress was not authorized by the Constitution to exercise legislative powers. The Committee then specified many of the President's offences in endeavoring, by unlawful means, to prevent the execution of laws passed by Congress.*

Stevens and Boutwell, on behalf of the managers, appeared before the Senate February 25 and in the name of the people of the United States impeached "Andrew Johnson of high crimes and misdemeanors," and demanded of that body to take orders for the accused President to answer the impeachment. The Constitution appoints the Senate a jury for the trial of such cases, and on March 5 it was organized as such, with Chief-Justice S. P. Chase as president of the court. The accused was summoned to the bar and the Senate then adjourned to the 13th, when, having formally opened as a "high court of impeachment," the President's counsel† asked for a delay of 40 days

* The following members of the House of Representatives were appointed managers of the impeachment case: Thaddens Stevens, of Pennsylvania; Benjamin F. Butler, of Massachusetts; John A. Bingham, of Ohio; George S. Boutwell, of Massachusetts; James F. Wilson, of Iowa; Thomas Williams, of Pennsylvania; and John A. Logan, of Illinois.

* Fleming, *Documentary History*, vol. i., pp. 458-470; McPherson, *Political History*, pp. 264-271; Dunning, *Impeachment*, pp. 482-488.

† The counsel for the President were Henry Stanbery, who resigned the office of Attorney-General to defend the President; Benjamin R. Curtis, Thomas A. R. Nelson, William M. Evarts and Jeremiah S. Black, who was later replaced by William S. Groesbeck.



wherein to prepare an answer to the indictment. Ten days were granted, and the answer was presented on the 23d, but the House of Representatives, the accuser, refused to consider that answer as a vindication. Then the President's counsel asked for a postponement of the trial for 30 days, but only six days were allowed, and on March 30 the trial began. On April 22 the examination of witnesses was closed, and the arguments of counsel began. Arguments were continued until May 6, when the case went to the Senate where the deliberation began on the 11th.* On the 12th court was adjourned to the 16th on which day the first vote was taken (on the eleventh article). The President was acquitted on that charge by a vote of 35 to 19. The court then adjourned to the 26th. Fifty-four members of the Senate were present on that day also and voted on the second and third articles. Thirty-five voted for conviction and nineteen for acquittal. As a two-thirds majority was necessary for conviction the President was acquitted by one vote.† Those who voted for the President (many of whom represented Northern States) did not consider the case from the partisan standpoint‡

but voted for acquittal because they thought the evidence in the case insufficient to justify a verdict of guilty. The same, however, cannot be said of all who voted for conviction.*

Upon the acquittal of Johnson, Secretary Stanton sent a letter to the President informing him that as the resolution of the Senate reinstating the Secretary had not been supported by two-thirds of the Senate he had relinquished the office. The President had already (April 24) sent the name of General John M. Schofield to the Senate "in place of E. M. Stanton,

one will now dispute that the popular estimate of his character did him very great injustice. It is equally certain that great injustice was done to Trumbull, Fessenden, Grimes and other senators who voted to acquit the President, and gave proof of their honesty and independence by facing the wrath and scorn of the party with which they had so long been identified. The idea of making the question of impeachment a matter of party discipline was utterly indefensible and preposterous."—Julian, *Political Recollections*, p. 318.

* Beside the works already mentioned, the reader may consult the following for articles of impeachment, arguments and other details of the trial: E. G. Ross, *The Johnson Impeachment*; T. B. Peterson, *The Great Impeachment and Trial of Andrew Johnson*; Richardson, *Messages and Papers*, vol. vi., pp. 709-757, giving official documents; C. E. Chadsey, *President Johnson and Reconstruction*, pp. 127-141; Dunning, *Essays*, pp. 253-303; S. S. Cox, *Three Decades*, pp. 580-594; Storey's *Sumner*, pp. 346-351; Pierce's *Sumner*, vol. iv., pp. 350-353; Hart's *Salmon P. Chase*, pp. 357-361; Schucker's *Chase*, pp. 546-559; W. T. Sherman's *Memoirs*, vol. ii., pp. 420-434; John Sherman's *Recollections*, vol. i., pp. 413-432; McCulloch's *Men and Measures*, pp. 378-403; Bontwell's *Reminiscences*, vol. ii., pp. 96-124; Salter, *Life of Grimes*, pp. 336-362; O. J. Hollister, *Life of Schuyler Colfax*, pp. 308-318; McPherson's *Handbook of Politics* for 1868, p. 267-293.

* Dunning, in his *Impeachment*, pp. 491-501, gives an excellent review of the constitutional aspects of the President's case; see also DeWitt, *Impeachment*, pp. 404-514.

† DeWitt, pp. 515-596.

‡ "Andrew Johnson was not the devil-incarnate he was then painted, nor did he monopolize, entirely, the 'wrong-headedness' of the times. No

removed." The Senate thereupon adopted the following resolution:

"Whereas, The order of the President removing Secretary Stanton from office was unconstitutional and illegal, but on account of Mr. Stanton having, on Tuesday, relinquished said office; therefore,

"Resolved, That the Senate do advise and consent to the appointment of General Schofield.*

Mr. Johnson after his acquittal nominated Stanbery for Attorney-General, but the Senate "in a spirit of resentment not altogether praiseworthy or intelligible" rejected him. The President then nominated William M. Evarts, who was confirmed. Stanton was subsequently (December 20, 1869) appointed as associate justice of the Supreme Court by President Grant, but his health had been broken by his labors and by disappointment over the outcome of the impeachment trial and four days later he died, without realizing his most cherished ambition.

It will be remembered that seven of the disorganized States—North Carolina, South Carolina, Georgia, Alabama (decreed by Congress to have ratified), Florida, Louisiana, and Arkansas—had ratified their constitutions and chosen State officials and legislatures, and it was now only incumbent upon them to ratify the proposed Fourteenth Amendment to resume their positions in the Union. Arkansas was the first to do this (April 6, 1868) and on June 22 Congress passed an act providing for the admission of that State. On

June 25 another act was passed granting admission to the other six States after they had ratified the Fourteenth Amendment, but certain other stipulations with regard to suffrage qualifications were also made. President Johnson vetoed both these measures but they were passed over his veto.*

Therefore the legislatures of the other six States were hastily convened and the Amendment was ratified by them. Georgia was compelled to give her solemn pledge that the repudiation article of her new constitution should never be enforced, and upon doing so was admitted.† By July 27 the President had issued the necessary proclamations in accordance with the act of June 25, announcing that the Fourteenth Amendment had been ratified by the legislatures of these States and they were admitted. So far the work of reconstruction in some of the States was completed, but Virginia, Mississippi and Texas still remained under martial law. On July 28 Secretary of State Seward officially announced that the Fourteenth Amendment had been ratified by the necessary number of States and therefore it became a part of the fundamental law of the land.

A week before the impeachment trial was ended, representatives of the Republican or the National Union Republican party met in convention

* Richardson, *Messages and Papers*, vol. vi., pp. 648-651; Fleming, *Documentary History*, vol. i., pp. 476-478; McPherson, *Political History*, pp. 337-338.

† E. C. Woolley, *Reconstruction of Georgia*, p. 509; Avery, *History of Georgia*, p. 397.

* Schofield, *Forty-Six Years in the Army*, pp. 413-419.

in Chicago (May 20) and nominated Ulysses S. Grant for President, and Schuyler Colfax for Vice-President. A convention of the representatives of the Democratic party met in Tammany Hall, in New York, on July 4 following, for the same purpose. Horatio Seymour, of New York, was nominated for President, being preferred over Chief Justice Chase who was a candidate for the nomination.* A few days before the assembling of the convention, General Francis P. Blair, a leader of Union troops during the war, wrote a letter in favor of the President's policy, the sentiments of which were approved by the convention, and the author was nominated for Vice-President.†

The Republican platform congratulated the country "on the assured success of the reconstruction policy of Congress, as evinced by the adoption, in the majority of the States lately in rebellion, of constitutions

securing equal civil and political rights to all." It further stated that "we denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the uttermost good faith to all creditors at home and abroad * * *." With regard to President Johnson and the Southerners the platform contained the following paragraphs:

"We profoundly deplore the untimely and tragic death of Abraham Lincoln, and regret the accession to the Presidency of Andrew Johnson, who has acted treacherously to the people who elected him and the cause he was pledged to support: who has usurped high legislative and judicial functions; who has refused to execute the laws; who has used his high office to induce other officers to ignore and violate the laws; who has employed his executive powers to render insecure the property, the peace, the liberty and life of the citizen; who has abused the pardoning power; who has denounced the National Legislature as unconstitutional; who has persistently and corruptly resisted, by every means in his power, every proper attempt at the reconstruction of the States lately in rebellion; who has perverted the public patronage into an engine of wholesale corruption; and who has been justly impeached for high crimes and misdemeanors and properly pronounced guilty thereof by the vote of thirty-five Senators."

"We highly commend the spirit of magnanimity and forbearance with which men who have served in the rebellion, but who now frankly and honestly cooperate with us in restoring the peace of the country and reconstructing the Southern State governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people and we favor the removal of the disqualifications and restrictions imposed upon the late rebels in the same measure as the spirit of disloyalty will die out, and as may be consistent with the safety of the loyal people."*

* Schucker's *Chase*, pp. 560-573.

† On June 30 General Blair wrote a letter to Col. J. C. Brodhead, to be used at the convention, in which he said: "There is but one way to restore the Government and the Constitution and that is for the President-elect to declare these acts [of Congress for the reorganization of the States] null and void, compel the army to undo its usurpations at the South, disperse the carpet-bag State governments [the governments established by Congress], allow the white people to reorganize their own governments, and elect Senators and Representatives. The House of Representatives will contain a majority of Democrats from the North, and they will admit the representatives elected by the white people of the South, and with the co-operation of the President it will not be difficult to compel the Senate to submit once more to the obligations of the Constitution." See *Appleton's Annual Cyclopaedia* for 1868, p. 746.

* For complete text of the platforms of the Republican and Democratic parties see Alexander McDowell's *Platforms of the Two Great Political Parties*, 1856-1908.

The Democratic platform demanded the following:

"The immediate restoration of all the States to their rights in the Union under the Constitution, and of civil government to the American people.

"Amnesty for all past political offenses, and the regulation of the elective franchise in the States by their citizens.

"Payment of all the public debt of the United States as rapidly as practicable — all money drawn from the people by taxation, except so much as is requisite for the necessities of the government, economically administered, being honestly applied to such payment; and when the obligations of the government do not expressly state upon their face, nor the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and justice, to be paid in the lawful money of the United States.

"Economy in the administration of the government; the reduction of the standing army and navy; the abolishment of the Freedmen's Bureau and all political instrumentalities designed to secure negro supremacy; simplification of the system and the discontinuance of inquisitorial modes of assessing and collecting internal revenue * * *; a tariff for revenue upon foreign imports, and such equal taxation under the internal-revenue laws as will afford incidental protection to domestic manufactures * * *.

"Reform of abuses in the administration; the expulsion of corrupt men from office; the abrogation of useless offices; and the restoration of rightful authority to, and the independence of, the executive and judicial departments of the government; the subordination of the military to the civil power, to the end that the usurpations of Congress and the despotism of the sword may cease." *

The Democrats also arraigned the Republican party for its reconstruction policy, saying that the latter party instead of restoring the Union had "so far as was in its power dissolved it and subjected ten States, in time of profound peace to military despotism and negro supremacy" and that it had "nullified the right of

trial by jury, abolished the right of *habeas corpus* and overthrown the freedom of speech and press."

The reconstruction policy weakened the Democratic party and alienated many voters, who joined the Republican ranks; the Democrats gained, however, in the States where negro suffrage had been rejected and which had returned to the Democratic control. The Republicans gained in the newly reconstructed States where the majority of the whites had been disfranchised.*

The canvass was carried on with great warmth on both sides, and resulted in the election of Grant and Colfax, the electoral vote standing 214 for Grant and 80 for Seymour.†

Meanwhile Johnson "continued to ply the Congress with his vetoes and messages and to address the country with his proclamations." Assuming that as the State governments in the South, established by Congress, were illegal, their ratification of the Fourteenth Amendment was of no effect, and that it was not ratified, Johnson issued a proclamation July 4, 1868, declaring general and unconditional pardon and amnesty for all who had been engaged in acts of rebellion, ex-

* Dunning, *Reconstruction*, pp. 125-126 and authorities cited.

† Edward Stanwood, *A History of Presidential Elections*, pp. 253-275, and *History of the Presidency*, pp. 313-332; A. K. McClure, *Our Presidents and How We Make Them*, pp. 208-220; *Appleton's Annual Cyclopædia* for 1868, pp. 744-753; Badeau, *Grant in Peace*, pp. 141-149; Garland, *U. S. Grant*, pp. 276-384; W. C. Church, *U. S. Grant*, pp. 361-366; Blaine, vol. ii., pp. 385-406; Hollister, *Life of Colfax*, pp. 320-329.

* See William Jennings Bryan's article on the *Democratic Party* in *Encyclopædia Americana*.

cepting a few who were under presentment or indictment for the offence.*

On July 20 the President vetoed a joint resolution passed by Congress which excluded from the electoral college in the coming presidential election the votes of those States still unreconstructed according to the acts of Congress, and in transmitting his veto message again covered the ground of the constitutionality of the acts and argued in favor of his own reconstruction plans.† But Congress was not then in a mood to listen to arguments from that source and contemptuously passed the resolution over his veto, in the Senate by a vote of 45 to 8 and in the House by 134 to 36. Congress, therefore, when it took a recess in August, agreed to meet in September; but the presidential election absorbed so much attention that there was a lull in the war between the executive and legislative branches of the government, and the recess continued until the regular session of Congress in December.

On December 9 the President sent his last annual message to Congress.‡ In a grave and dignified manner he stated that the policy pursued by Congress in reconstructing the Southern States had had a most dreadful effect and urged that the legislation which had produced these conditions be repealed. He also urged the repeal of the

Tenure-of-Office Act and the act of March 2, 1867, and then showed the serious condition of the public finances, stating that the public debt had grown from \$64,000,000 in 1860 to \$2,527,129,552 in 1868 and the annual expenditures had increased from \$63,000,000 in 1860 to more than \$377,000,000. He also made some recommendations as to the means by which this threatening condition might be relieved. But Congress utterly ignored his recommendations and did not break its apparent resolve to take no notice of the President until the last part of the month.

On Christmas Day President Johnson issued a proclamation which declared unconditional and unreserved pardon and amnesty to *all and every person* who had participated directly or indirectly in the late insurrection and restored to them "all their rights, privileges and immunities under the Constitution and the laws made in pursuance thereof."** The Senate could not pass by this proclamation without some notice and on January 5, 1869, demanded that he "transmit to the Senate a copy of any proclamation of amnesty made by him since the last adjournment of Congress and also to communicate to the Senate by what authority of law the same was made." Johnson submitted his answer January 18, enclosing a copy of his proclamation of December 25, 1868, stat-

* Richardson, *Messages and Papers*, vol. vi., pp. 655-656.

† Ibid., vol. vi., pp. 651-654.

‡ Ibid., vol. vi., pp. 672-691.

* *Appleton's Annual Cyclopædia* for 1868, p. 751; Richardson, *Messages and Papers*, vol. vi., p. 708.

ing that his authority for the action was the second section of Article II of the Constitution by the terms of which the President could grant reprieves and pardons for offences against the United States, except in case of impeachment. He also stated that Washington, Adams, Madison and Lincoln had established precedents. This explanation seemed to satisfy the Senate though many of the members evidently thought he was not worthy to act under precedents set by the Presidents mentioned. But as the proclamation did not affect the qualifications for suffrage established by the reconstruction acts and the new State constitutions, the Senate took no action.

Furthermore Congress was busy with a measure of its own to regulate suffrage within the States that would settle the question of the political status of the negro for the entire country, and therefore did not wish to be bothered with any dispute with the President.

Immediately after the assembling of Congress in December, 1868, another amendment to the Constitution was introduced. The subject was debated in both Houses during the course of several weeks, and many amendments to the original draft were proposed. Finally, on February 26, 1869, a joint resolution was adopted recommending an amendment (known as the Fifteenth) for securing the elective franchise to the colored race, in the following form:

"Article XV.—Section 1. The right of citizens of the United States to vote shall not be denied

or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation." *

After the passage of this resolution a concurrent resolution was adopted (March 2) instructing the President to submit the amendment to the State legislatures.

The turbulent administration of Mr. Johnson closed March 4, 1869, when Ulysses S. Grant was inaugurated the eighteenth President of the Republic. Chief-Justice Chase administered the oath of office to President Grant, and on the following day the Senate confirmed his Cabinet appointments.† An attempt was made at this session of Congress to repeal the Tenure-of-Office Act passed March 2, 1867. Grant immediately upon his accession made known his intentions of retaining all office-holders who were

* For the various propositions regarding the phraseology of the Fifteenth Amendment and the debates on them see *Globe*, 40th Congress, 3d session; McPherson, *Political History*, pp. 399-406; Thorpe, *Constitutional History*, pp. 271-277, 311 *et seq.*; Appleton's *Annual Cyclopædia* for 1869, p. 120 *et seq.*; Burgess, *Reconstruction*, p. 216 *et seq.*; Blaine, vol. ii., pp. 412-421; Pierce's *Sumner*, vol. iv., p. 365 *et seq.*; Dawes's *Sumner*, pp. 278-280; Wilson, *Slave Power*, pp. 661-683.

† Some changes from the first appointments were found to be necessary, and the Cabinet was finally composed of the following persons: Hamilton Fish, of New York, Secretary of State; George S. Boutwell, of Massachusetts, Secretary of the Treasury; John A. Rawlins, of Illinois, Secretary of War; Adolph E. Borie, of Pennsylvania, Secretary of the Navy; Jacob D. Cox, of Ohio, Secretary of the Interior; J. A. J. Creswell, of Maryland, Postmaster-General; and E. Rockwood Hoar, of Massachusetts, Attorney-General. In June Mr. Borie resigned and was succeeded by George M. Robeson, of New Jersey.



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competent and said he would not remove any of Johnson's appointees for political reasons. Thereupon the House repealed the act by a vote of 138 to 6, but the Senate referred the matter to the Judiciary Committee which reported a substitute for the House bill. This substitute passed the Senate but failed in the House and it was sent to a conference committee. A compromise, in the shape of a modification of the law, was effected by this Committee and passed both Houses and was approved April 5, 1869.* But this bill was not satis-

factory, and, as with the original act, the Senate and House were soon at variance concerning the construction to be placed upon it. Finally, in his message of December 6, 1869,* President Grant asked for the "total repeal" of the Tenure-of-Office Act. The House twice attempted this "total repeal" but the Senate did not concur and the statute was not ultimately erased from the books until Cleveland's first term, when, through the efforts of Senator George F. Hoar, it was repealed (March 31, 1887).

* Blaine, vol. ii., pp. 449-456. Blaine says that by the passage of this act "a voluntary confession was recorded by both Senate and House that they had forced an issue with one Executive on an assumed question of right, which they would not attempt with his successor. * * * With all the plausible defenses that can be made for this contradictory course, the fact remains that the authors of the law precipitately fled from its

enforcement the moment a President with whom they were in sympathy was installed in office.

* * * Casting off all political disguises and personal pretenses, the simple truth remains that the Tenure-of-Office Law was enacted lest President Johnson should remove Republican office-holders too rapidly, and it was practically repealed lest President Grant should not remove Democratic office-holders rapidly enough."

* Richardson, *Messages and Papers*, vol. vii., pp. 27-42.

CHAPTER V.

1865-1873.

FINANCIAL AFFAIRS: TARIFF: LEGAL TENDER DECISIONS.

Condition of Treasury—Internal revenue taxes reduced—Tariff revision—Resumption of specie payments—Contraction of currency suspended—New York "Gold Conspiracy"—Decision of Supreme Court in case of *Hepburn vs. Griswold* regarding legal-tender act—Opinions—Change in number of justices—Decision reversed—Refunding acts—Tariff revision—Income tax.

For several years after the war the condition of the national treasury was the source of much anxiety to the government officials. At the end of the war the government was obliged to raise vast sums of money to pay the

arrears due the soldiers, to settle the floating debts, to fund the temporary obligations and to systematize the bonded debt. Secretary of the Treasury McCulloch, with the co-operation of Jay Cooke, by the end of July, 1865,

floated a popular loan of over \$500,000,000 of 7-30 notes, with the proceeds of which the floating debt was discharged. On September 1, 1865, according to a subsequent report of the Secretary of the Treasury, the debt, less cash in the treasury, amounted to \$2,757,689,571.43. "Of this vast indebtedness less than one-half was funded; \$433,160,000 was in United States legal-tender notes, \$26,344,000 in fractional currency, and the remainder consisted of various forms of short time paper or temporary securities, a large part of which was due before 1868 and a considerable amount was maturing daily."* Between April 1, 1865, and November 1, 1868, the debt had been reduced \$470,256,650.42; "and but for the advances to the Pacific roads and the amount paid for Alaska would have been \$519,650,650.42."†

McCulloch's policy was to reduce internal taxes, to simplify and revise the tariff in order to lower duties, and to resume specie payments at the earliest opportunity. On July 13, 1866, an act was passed remitting the tax on coal, pig-iron and slaughtered cattle, lowering the taxes on manufactures, products and gross receipts of corporations, etc., but raising the tax on cotton from two to three cents a pound. The reduction anticipated

under this act was not realized the first year, for instead of amounting to \$75,000,000 it only reached \$45,000,000 (from \$310,000,000 to \$265,000,000). In 1867-68, however, the amount of reduction came up to expectations.* On March 2, 1867, an act was passed which reduced the tax on cotton to two and one-half cents, exempted incomes under \$1,000, and removed the tax on various manufactured products and other sources of profits. The anticipated reduction under this act was \$40,000,000. The tax on cotton was finally cut off by the act of February 3, 1868, and the act of March 31, 1868, "finally removed all taxes upon goods, wares and manufactures except those on gas, illuminating oils, tobacco, liquors, banks, and articles upon which the tax was collected by means of stamps." The tax on petroleum products was reduced one-half by this act and was later removed altogether by the act of July 20.† By means of these acts, therefore, McCulloch was able to reduce the internal taxation for the four years after the war by an average of \$140,000,000 annually, though it was expected that the reduction would approximate \$196,000,000.‡ He had succeeded in accomplish-

* Frederick C. Howe, *Taxation in the United States under the Internal Revenue System*, p. 76 *et seq.*

* Davis R. Dewey, *Financial History of the United States*, p. 332 (Longmans, Green & Co.). See also A. S. Bolles, *Financial History of the United States*, vol. iii., pp. 306-307.

† See Secretary McCulloch's annual reports for 1868 and 1884, also his *Men and Measures*, pp. 243-257.

† Dewey, *Financial History*, p. 394; Howe, *Internal Revenue System*, p. 78; Burton's *Sherman*, pp. 195-197; and the reports of the Secretary of the Treasury and the Commissioner of Internal Revenue for 1867.

‡ Howe, p. 81; Edward Stanwood, *American Tariff Controversies*, vol. ii., pp. 146-151.

ing the first part of his policy with comparative ease.

But the reduction of the tariff was a much more difficult problem and proved impossible during McCulloch's administration. A bill which "in many respects considerably increased the tariff on imported goods" was reported on June 25 by Mr. Morrill of the House Committee on Ways and Means. This bill was sharply attacked by the protectionists as being in the interests of free trade, but nevertheless it was passed by the House, July 10, 1866, by a vote of 97 to 52. The Senate, however, postponed action on it until the next session.*

The Special Commissioner of Revenue, David A. Wells, then drew up a bill for the revision of the tariff and submitted it to Congress. This bill "reduced duties on raw materials such as scrap iron, coal, lumber, hemp and flax; and it either maintained without change or slightly lowered the duties on most manufactured articles," the bill being as Professor Taussig says, "simply a reform measure from the protectionist point of view."†

Wells's bill with a few changes in the direction of higher duties was passed by the Senate by a vote of 27 to 10, February 1, 1867, but it failed to secure the necessary two-thirds majority in the House as that branch of Congress was too closely occupied with the first Reconstruction Act and

the Tenure-of-Office Act to take the time necessary for a proper consideration of the Senate amendments. The bill, therefore, did not become law, and no general tariff bill was enacted during President Johnson's administration.* The wool growers and the wool manufacturers, however, succeeded in securing the passage of an act, March 2, 1867,† just before the Thirty-ninth Congress expired, known as the "Wool and Woolens Act of 1867" which largely increased the duties on that product. Stanwood says that this was "a great triumph for the protective principle" but that the result of its operation was directly contrary to its object. Instead of increasing the profits from the growing of wool and the production of goods from wool fibre, the price of wool declined and the woolen manufacturing industry was greatly depressed. Stanwood attributes the result to competition of the government in disposing of millions of blankets, overcoats, etc., thus flooding the market. Taussig says that the wool and woolen schedule was "a great sham."‡

* Stanwood, *Tariff Controversies*, vol. ii., pp. 151-154; Bolles, *Financial History*, vol. iii., p. 451.

† Taussig says: "There is good evidence to show that the whole movement was the work of a few energetic manufacturers of New England * * * and of some prominent breeders of sheep."—p. 199 and footnote.

‡ *Tariff History*, pp. 195-218; Stanwood, *Tariff Controversies*, vol. ii., pp. 154-158, 169; Franklin Pierce, *The Tariff and the Trusts*, pp. 278-279. For text of act see Robert G. Proctor, *Tariff Acts Passed by the Congress of the United States from 1789 to 1897*, p. 228 *et seq.* (*House Doc. No. 562*, 55th Congress, 2d session).

* Salter's *Grimcs*, p. 305 (D. Appleton & Co.)

† F. W. Taussig, *The Tariff History of the United States*, pp. 176-177 (G. P. Putnam's Sons). See also Wells's report for 1866-67, pp. 235-290.

The third part of McCulloch's program was the resumption of specie payments. On September 1, 1865, there were \$433,000,000 in notes, legal-tenders, outstanding, these notes being generally known as "greenbacks." The government was unable to redeem these notes in specie, and therefore Secretary McCulloch proposed to withdraw a portion from circulation and thus bring this currency up to the specie standard.* In order to do this Congress, April 12, 1866 (the House by a vote of 83 to 53; the Senate by a vote of 32 to 7), authorized the sale of bonds and granted permission to the Secretary to retire \$10,000,000 of greenbacks during the succeeding six months and not more than \$4,000,000 each month thereafter. Under this act McCulloch was able to retire \$44,000,000 before Congress rescinded its action, February 4, 1868.† He had also retired \$33,000,000 independent of this act by putting it into circulation in payment of temporary loans. The amount of notes in 1868 still inconvertible was therefore \$356,000,000.

Meanwhile business had taken a turn for the worse, a fact which was

largely attributed to the contraction of the currency, John Sherman and O. P. Morton both making speeches in the Senate voicing the sentiments of the country to that effect.* The House on December 7, 1867, passed a bill by a vote of 127 to 32 suspending the further contraction of the currency. The Senate amended this bill and passed it by a vote of 33 to 4, January 15, 1868, but the House rejected the amendments and the conference committee restored the House bill. It was then passed in both Houses by large majorities February 4, 1868. The President allowed it to become a law without his signature.† The only other important financial measure passed during Johnson's term was introduced during the last session of the Fortieth Congress. The following was the chief provision: "The faith of the United States is solemnly pledged to the payment in coin, or its equivalent, of all interest-bearing obligations of the United States, except in cases when the law authorizing the issue of any such obligations has expressly provided that the same may be paid in lawful money or other currency than gold and silver." This measure was adopted on March 3, 1869, before Johnson's retirement but

* In a speech delivered at Fort Wayne in October, 1865. See *Men and Measures*, p. 201; also his official report for 1865.

† Dewey, *Financial History*, pp. 340-344; A. S. Bolles, *Financial History*, vol. iii., pp. 270-279, 309-311; John Jay Knox, *United States Notes*, pp. 129, 131; Charles F. Dunbar, *Laws of the United States Relating to Currency, Finance and Banking*, pp. 199, 201; Henry R. Linderman, *Money and Legal Tender in the United States*, pp. 87-89; McCulloch, *Men and Measures*, pp. 210-212; Sherman, vol. i., pp. 373-384; Blaine, vol. ii., pp. 320-324; A. D. Noyes, *Thirty Years of American Finance*, pp. 10-13 (G. P. Putnam's Sons).

* Sherman, vol. i., pp. 434-435; W. D. Foulke, *Life of Oliver P. Morton*, vol. ii., p. 83; *Globe*, pp. 105, 407, 414, 415.

† Rhodes, vol. vi., pp. 215-235, and authorities cited; Bolles, *Financial History*, vol. iii., p. 279 *et seq.*; *Statutes-at-Large*, vol. xiv., p. 32, xv., p. 34; Blaine, vol. ii., pp. 328-331; Noyes, *American Finance*, pp. 14-16; Burton's *Sherman*, pp. 183-185; A. B. Hepburn, *The Contest for Sound Money*, pp. 205-211 (The Macmillan Co.).

did not become a law until after Grant had been inaugurated. Grant signed the bill March 18.*

In the summer of 1869 occurred what is known as the "New York Gold Conspiracy," when Jay Gould and James Fisk, Jr. attempted to corner the gold market and reap an enormous profit to themselves. These two men were the "absolute irresponsible owners of the Erie Railway." Gould figured that if gold should rise to 140 or 145 the English market would buy breadstuffs here, and by this means also he could induce the farmers to part with their grain and ship it east. This movement of crops would turn over an enormous and continuous amount of freight to the Erie and Gould would enrich himself from both ends of his dealings.†

But the most serious obstacle in the pathway of successfully consummating his deal was the United States government, for while Gould might have cornered the New York gold market, which held only about \$25,000,000, the treasury at that time held less than \$100,000,000.‡ It was therefore necessary that Gould should enlist the aid of government officials so that if he succeeded in operating his

corner, the Washington authorities would not flood the market with the treasury gold and thus break prices. Gould, therefore, in order to obtain the President's approval of his plan for moving the crops, made the acquaintance of Grant's brother-in-law, A. R. Corbin, who readily fell in with his plans. In June, 1869, Grant visited New York and at Corbin's request was entertained by Gould and Fisk, but at that time the President threw a "wet blanket" on Gould's scheme.* Subsequently, however, he wrote to Secretary of the Treasury Boutwell that the movements of crops would be retarded if the price of gold declined and that the West would thereby suffer. Boutwell thereupon ordered that the Assistant-Treasurer at New York (Butterfield) should not sell gold until ordered.†

As Gould had been informed by Corbin of the contents of this letter, he at once began to buy gold in large quantities. He also bought large quantities for influential men in the government service in order to enlist their aid in a "bull" movement. He bought \$500,000 at 132 and \$1,000,000 at 133½ for Corbin, subsequently giving him a check for \$25,000 as his profit on the first amount when it was sold at 137.‡ Gould bought \$500,000

* Dewey, *Financial History*, p. 349; Dunbar, *Currency, Finance and Banking Laws*, p. 202; Linderman, *Money and Legal Tender*, p. 89; Hepburn, *Sound Money*, pp. 213, 547; Sherman, vol. i., pp. 435-448.

† Henry Adams, *New York Gold Conspiracy*, in *Historical Essays*, pp. 318-337; Testimony in the Gold Panic Investigation, Report No. 31, 41st Congress, 2d session. See also Rhodes, vol. vi., p. 247 *et seq.*

‡ Henry Clews, *Twenty-Eight Years in Wall Street*, p. 187.

* Adams, *Gold Conspiracy*, pp. 338-339; Clews, p. 189 *et seq.*; also Gould's testimony before the Garfield Committee.

† See Boutwell's testimony: Adams, pp. 340-342; J. K. Upton, *Money in Politics*, p. 188.

‡ See Corbin's account of this before the investigating committee; Adams, *Gold Conspiracy*, pp. 342-343.

for Horace Porter, private secretary to the President, but the purchase was repudiated by Porter,* and he also carried \$1,500,000 for Butterfield (though Butterfield denied this) and also loaned him \$10,000. But despite Gould's enormous purchases, gold did not rise above 137 and he induced Fisk to aid him, assuring him that everybody from the President down had been "fixed." Fisk then bought largely† and by September 22, gold had risen to 140½.

In the meantime Gould had prevailed upon Corbin to write to Grant urging him to withhold any sale of gold by the government. But when Grant received the letter his suspicions were aroused, and he replied to Corbin that he must close out his speculations at once. Gould was apprised of the President's attitude and immediately proceeded to sell out his holdings which then amounted to about \$50,000,000, but he did not acquaint Fisk of his intentions nor of the President's letter. Fisk therefore continued his purchases and gold soared.‡ On Friday, September 24 — "Black Friday" — the market was in an uproar. Gould sold while Fisk bought and the price went to 162.||

On Thursday night, however, Grant had been in consultation with the

Secretary of the Treasury and it was determined to interfere should the situation warrant such a course. Consequently when gold touched 162 the announcement was made that the Secretary of the Treasury had ordered a sale of gold, the corner was completely shattered and the price rapidly fell to 135.* Fisk had purchased about \$60,000,000 through one broker alone and there is no means of knowing how much he had bought through other brokers. When the price broke he was obliged to repudiate his purchases and several of his brokers failed carrying many others with them. But Gould's earlier knowledge had warned him of the deluge to come and he promptly sold, thus saving himself and protecting his brokers.†

This "panic" had a bad effect on the legitimate business of the country, as the bankers, merchants, and importers and exporters were at the mercy of the gold speculators. As a consequence, allegations were made that the President, his family‡ and his friends were interested in the "gamble," and it was also stated that the Secretary of the Treasury was implicated. But though the President had been indiscreet in his social relations with Gould and Fisk, later reflection showed that the suspicion

* See Fisk's testimony.

† He testified that by September 15 or 16 he had bought about seven or eight millions.

‡ Adams, pp. 346-353. Gould's brokers were ordered to sell as quickly as possible but not to Fisk's brokers as Gould knew they would fail and thus be unable to meet their obligations.

§ C. F. Adams, Jr., *A Chapter of Erie*, pp. 135-137; Upton, *Money in Politics*, p. 190 *et seq.*

* Sereno S. Pratt, *The Work of Wall Street*, p. 21 *et seq.*; Henry Clews, *Twenty-Eight Years in Wall Street*, pp. 182-184; C. F. Adams, Jr., *Chapter of Erie*, pp. 137-138.

† H. Adams, *Gold Conspiracy*, pp. 356-364; Henry White, *Money and Banking*, pp. 184-186; Clews, p. 197 *et seq.*; C. F. Adams, Jr., p. 139 *et seq.*

‡ Clews, p. 195 *et seq.*

was unfounded.* But the Assistant-Treasurer, Butterfield, was found to have borrowed money from Gould with which to speculate in government bonds and gold, and his resignation was therefore requested and sent in by him October 25, 1869.†

Let us now consider the finances. Secretary of the Treasury Boutwell, in his report of December 6, 1869, stated that the debt of the nation had been reduced since March 1, that year, by \$71,903,000 in round numbers, leaving the balance due at \$2,453,559,735. The receipts for the fiscal year ending June 30 had exceeded the expenditures by \$49,453,000, and \$75,477,800 worth of 5-20 bonds had been purchased since March 4. "On a gold basis the 5-20 six per cent. bonds were worth a fraction over 88 cents on the dollar."‡

The act of February 25, 1862,|| provided that one per cent. of the debt should be set aside annually as a sinking fund, and in order to comply with the provisions of this act Boutwell had placed \$20,000,000 of bonds in this fund. He believed that the debt should be paid off as rapidly as possible, that the interest should be reduced, and that the government should return to specie payment at the

earliest possible moment. This would increase faith in the government at home and prove a valuable asset abroad. But greenbacks had been issued to an excessive amount and Boutwell in an endeavor to make a contraction requested authority to retire \$2,000,000 of notes monthly at his discretion. But Congress had put a stop to the policy of contraction and authority to resume this policy was withheld. So Boutwell was forced to use his surplus in the best possible manner.

The Supreme Court then interfered in the matter and on February 7, 1870, handed down a decision in the case of *Hepburn vs. Griswold*,* Chief Justice Chase delivering the opinion. The Court decided that the Legal-Tender Act impaired the obligation of contracts and that it was contrary to the spirit of the Constitution. It was also said that to force a creditor to accept money of less value than had been loaned was confiscation of property. Justice Chase added: "We are obliged to conclude that an act making mere promises to pay dollars a legal tender in payment of debts previously contracted is not a means appropriate, plainly adapted, really calculated to carry into effect any express power vested in Congress; that such an act is inconsistent with the spirit of the Constitution; and that it is prohibited

* Garland, *U. S. Grant*, p. 409 *et seq.*

† Beside the works already cited see Boutwell's *Reminiscences*, vol. ii., pp. 164-182; E. B. Andrews, *History of the Last Quarter-Century in the United States*, vol. i., p. 45; and the files of the *New York World*, *Tribune*, *Herald* and *Nation*.

‡ Rhodes, vol. vi., pp. 257-273; Upton, *Money in Politics*, p. 190.

|| For the history of this act see Henry Adams, *The Legal Tender Act*, in *Historical Essays*, pp. 279-317; Knox, *United States Notes*, p. 119 *et seq.*; Upton, *Money in Politics*, pp. 75-89.

* Wallace, *Supreme Court Reports*, vol. viii., p. 603 *et seq.*; Schucker's *Chase*, p. 258; Henry Adams, *The Session*, in *Historical Essays*, pp. 392-393; White, *Money and Banking*, pp. 231-232; Bolles, *Financial History*, vol. iii., p. 254 *et seq.*

by the Constitution." He then showed reasons for the change of sentiment regarding the act.*

Justice Miller delivered the dissenting opinion, supporting his argument by quotations from Chief Justice Marshall. After reviewing the history of the Legal-Tender Act, showing its necessity and results, Justice Miller said that the Constitution did not forbid Congress to pass legal-tender laws, but only the individual States, and that after enactment these laws had been universally regarded as valid. "Payments were made," he said, "in the Legal Tender notes for debts in existence when the law was passed to the amount of thousands of millions of dollars, though gold was the only lawful tender when the debts were contracted. A great, if not a large, amount is now due under contracts made since their passage, under the belief that these legal tenders would be valid payment." Congress, the President and fifteen State courts had declared the laws constitutional and the Justice asks: "With all this great weight of authority * * * are we to renounce their action, to disturb contracts, to declare the law void because the necessity for its enactment does not appear so strong to us as it did to Congress or so clear as it was to other courts?"†

Four justices — Field, Nelson, Clifford and Grier — concurred with

Chase when the court reached its decision, November 27, 1869; Davis and Swayne sided with Miller. Justice Grier, when the first vote was taken in conference on the case of *Hepburn vs. Griswold*, had declared in favor of the constitutionality of the Legal-Tender Act, thus making the vote a tie at 4 to 4; but in another case he had voted in an entirely contrary manner and when this was called to his attention he changed his vote and sided with Chase, Field, Nelson and Clifford. Therefore he was requested to resign and did so in December, his resignation taking effect February 1, 1870. He sat on the bench for the last time January 31, 1870.

Had Justice Chase's decision been allowed to stand the country would probably have witnessed the resumption of specie payments at an earlier date. But its overthrow was almost a foregone conclusion as the decision was regarded and denounced as an attack on sound Republican doctrine,* and all the influence that could be brought to bear by corporations which it affected was used against it. These corporations protested because they would be compelled to pay in coin when their receipts had been in paper currency. Another thing that lessened the weight attached to the opinion was Chase's desire for the nomination to the office of President‡ which greatly detracted from the esteem in which he was held by the public in general.

* 8 Wall., p. 625; Schucker's *Chase*, p. 259; Knox, *United States Notes*, p. 157 *et seq*.

† 8 Wall., pp. 631. 634. 635, 637-639; Knox, *United States Notes*, p. 160.

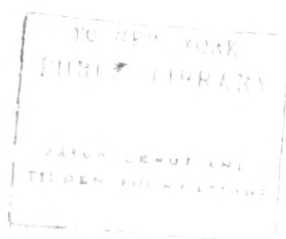
* J. F. Hoar's *Autobiography*, vol. i., pp. 282-288; Hart's *Chase*, pp. 360-369.

‡ Schucker's *Chase*, p. 261.

1394

The letter reaches me to day. You must be very
 far gone with sleep, or, at least, going rather & looking the picture
 of an old-fashioned, of the kind you like the country & with more
 or less political views.

[illegible]



Previous to the rendering of the decision the political constitution of the Supreme Court had changed. On July 23, 1866, an act was passed and approved by Johnson reducing the number of judges from nine to seven as vacancies should occur from death or retirement. But on April 10, 1869, the number was again placed at nine to take effect on the first Monday in December. In that month Justice Swayne died and, as before stated, Justice Grier resigned, so that there were then two places to be filled. President Grant on December 14, 1869 nominated E. R. Hoar, and on December 20, Edwin M. Stanton. Hoar was rejected by the Senate on February 3, 1870, but Stanton was confirmed. The latter died, however, a few days afterward, and so when the legal-tender decision was rendered, there were still two vacancies to be filled. On the same day (February 7, 1870) Joseph P. Bradley, of New Jersey, and William Strong, of Pennsylvania, were nominated by the President and later confirmed, Strong taking his seat March 14, and Bradley March 23.

On March 25, 1870, Attorney-General E. R. Hoar moved that the Court take up and argue two cases formerly passed over, involving the legal-tender question. But although the Court by 5 to 4 decided to do this the cases were withdrawn.* But later two legal-tender cases were argued before the Court and the opinions were an-

nounced May 1, 1871, but not read until January 15, 1872.* Justice Strong gave the majority opinion (Chase, Field, Clifford and Nelson dissented), overruling Chase's former opinion and saying "We hold the acts of Congress constitutional as applied to contracts made either before or after their passage. In so holding we overrule so much of what was decided in *Hepburn vs. Griswold* as ruled the acts unwarranted by the Constitution so far as they apply to contracts made before their enactment."† A subsequent opinion of the Court delivered by Justice Gray on March 3, 1884, in the case of *Juilliard vs. Greenman* (110 U. S. Sup. Ct. 421) confirmed this decision and adjudged United States notes legal tender on contracts made before and after the act of February 25, 1862. Chase indirectly charged that the Court had been packed in order to reach a decision that would upset his opinion, but the consensus of opinion seems to refute this charge absolutely.‡

During the second session of the Forty-first Congress (December 6,

* The cases were *Knox vs. Lee*, and *Parker vs. Davis*, 12 Wall. 457.

† 12 Wall. 553; White, *Money and Banking*, pp. 232-233.

‡ Hart's *Chase*, pp. 384-414; Dewey, *Financial History*, pp. 362-368; McCulloch, *Men and Measures*, pp. 172-180; and the files of *The Nation*, 1870-1872. On the legal tender decision see the reviews by George Bancroft in *A Plea for the Constitution*; *Hepburn, Contest for Sound Money*, pp. 260-273; *Knox, United States Notes*, pp. 161-166, 193-229; Upton, *Money in Politics*, pp. 157-170. For the decision rendered March 3, 1884, see McPherson, *Handbook of Politics*, 1884, pp. 86-92.

* Latham's and Deming's Appeals, 9 Wall. 145; Adams, *The Session*, pp. 394-398; Schucker's *Chase*, pp. 262-264.

1869-July 15, 1870) important bills relating to financial matters were passed. On July 12, 1870, an act was passed which provided for an increase of \$54,000,000 of national bank notes over and above the \$300,000,000 that had already been authorized.* The purpose of this act was to place more currency through the South and West where rates were high, and prevent money from accumulating in the East where rates were low, but the attempt proved unsuccessful.

On July 14, 1870, a bill for refunding the national debt was passed and became law. This bill was modified by the act of January 20, 1871, with regard to interest payment, and an increase of the 5 per cent. bonds was also authorized, so that the two laws, taken together, gave the Secretary of the Treasury authority to issue \$500,000,000 of 5 per cent. ten-year bonds, \$300,000,000 of 4½ per cent. fifteen-year bonds and \$1,000,000,000 of 4 per cent. thirty-year bonds, principal and interest payable in coin at the pleasure of the United States on expiration. These bonds were not to be sold for less than par in coin or they could be exchanged dollar for dollar for the 5-20 bonds, the coin received from the sale being used to redeem the 5-20's.†

* Hepburn, *Contest for Sound Money*, pp. 219, 547-551; Dunbar, *Currency, Finance and Banking Laws*, pp. 202-205.

† *Statutes-at-Large*, vol. xvi.; Dunbar, pp. 205-208; Burton's *Sherman*, pp. 202-207; Hepburn, pp. 218, 551; Linderman, *Money and Legal Tender*, p. 114 *et seq.*; William A. Richardson, *Practical Information Concerning the Public Debt*, pp. 8-10. Dewey, in his *Financial History*, pp. 353-354, says: "This legislation together with

About \$66,000,000 of the 5 per cent. bonds were sold in the United States at public subscription, national banks taking about \$64,000,000 and private individuals about \$2,000,000. The balance of \$134,000,000 authorized by the act of 1870 was sold by Jay Cooke & Co., chiefly in Europe. In his report of December, 1872, Secretary Boutwell said that \$200,000,000 of 5 per cent. bonds had been sold and the same amount of 5-20 bonds had been redeemed. The debt was reduced over \$360,000,000 from March 1, 1869, to March 1, 1873.*

In 1870 the demand for a downward revision of the tariff became particularly strong and a bill was reported from the Committee on Ways and Means February 1, 1870, but the reductions in existing rates were few and unimportant as the "vested interests" were too powerful for the leaders of the movement to secure the desired legislation. The debate on the schedules waxed hot at times and the advocates of lower duties were even accused of being bribed with "British

the supplementary acts of December 17, 1873, January 14, 1875, and March 3, 1875, shaped the character of the debt for the next quarter of a century. It settled once for all the question of taxation of bonds and placed public credit upon a solid foundation."

* Boutwell's *Reminiscences*, pp. 144, 183-202; Bolles, *Financial History*, vol. iii., p. 327; Blaine, vol. ii., pp. 556-559; Sherman, vol. ii., pp. 451-458; and the annual reports of the Secretary of the Treasury. The entire \$500,000,000 had been disposed of by August 24, 1876, after which time and until June, 1877, the 4½ per cent. bonds were sold. By the time Sherman had become Secretary of the Treasury, \$200,000,000 of the latter had been sold, but he stopped the sale of 4½'s and sold the 4's instead.

gold," but there is no question but that the desire of the West for lower duties was perfectly honest. The bill was passed by the House June 6 by a vote of 153 to 55 and by the Senate July 5 by a vote of 43 to 6, and after the acceptance of a conference committee report, was signed by the President, July 14.*

The tariff act of July 14, 1870, placed 130 articles on the free list and among the reductions were the following: on tea from 25 to 15 cents per pound, on sugar of the lowest grade from 3 to 1¾ cents, on coffee from 5 to 3 cents, and on pig-iron from \$9 to \$7 per ton; but to offset the latter reduction the duty on Bessemer steel rails was raised to 1¼ cents per pound or \$28 per gross ton. The duty on marble, nickel, and other articles was also raised.†

Another part of the act of July 14, 1870, was the provision for reducing internal taxes. This "brought the system of internal revenue taxation down to the level at which it was maintained until 1883. The taxes left were those on spirits, tobacco, fermented liquors, adhesive stamps, banks and bankers and a small amount on manufactures and products;"‡ also the income and corporation taxes. According to the *Statistical Abstract* for

1878 the reduction of internal revenue taxation accomplished by this act from 1870 to 1872 was \$54,000,000.

The tax on incomes was reduced to 2½ per cent. and incomes of \$2,000 and less were exempted, the provision of the act to be in force until December 31, 1871, when the act should expire.* The act provided that "all losses actually sustained during the year arising from fires, floods, shipwrecks, or incurred in trade and debts ascertained to be worthless" might be deducted from the amount of income. This amount was ascertained mainly by the declaration of each individual, the correctness of the statement being left to the honor of the person making the return. This, therefore, placed a premium on perjury and dishonesty in declaring income and stating the deductions, and it was comparatively easy for those who should have paid taxes on large incomes to reduce them to almost nothing simply by showing losses "by fires, floods, shipwrecks, etc."‡

A bill "to repeal so much of the act of July 14, 1870, dealing with internal taxes, as continued the income tax after December 31, 1869," was introduced in the Senate December 6, 1870. As this bill originated in the Senate a lively discussion took place during the next few months as to the constitutional right of the Senate to originate such measures, that power (it was suggested) being vested in the House by section vii. of article I of the Con-

* Stanwood, *Tariff Controversies*, vol. ii., pp. 172-173. Proctor, *Tariff Acts*, pp. 233-248 for text.

† Taussig, *Tariff History*, pp. 178-179, 222 et seq.; Stanwood, *Tariff Controversies*, vol. ii., p. 173; Pierce, *The Tariff and the Trusts*, pp. 281-283.

‡ Dewey, *Financial History*, p. 394; Howe, *Internal Revenue System*, p. 102 et seq.

* Howe, pp. 93-102.

‡ Rhodes, vol. vi., pp. 275-283.

stitution. A conference committee of the two Houses considered this matter for a long time, but no definite or absolute conclusion was at that time reached, the Senate denying, but not insisting on its position against, the assertion by the House that it (the House) possessed the "sole and exclusive privilege to originate all bills directly affecting the revenue, whether such bills be for the imposition, reduction or repeal of taxes." The matter was settled, however, during the second session of the Forty-second Congress. In the debate on the tariff measure the Senate amended the House bill so radically that it practically amounted to an original measure (the House bill was only a few lines, repealing existing duties on tea and coffee, but when the Senate finished its revision this bill was a general tariff bill of twenty pages).

As this amounted to the originating of a revenue measure the House protested and sent to the Senate a resolution denying the right of the Senate to this privilege, but the Senate referred the matter to the Committee on Privileges and Elections, and though a report was made by that committee no further action was taken by the Senate. But the report clearly indicated that the control of all great financial matters rests with the House and that it is the duty of the Senate simply to amend and perfect such measures. The matter was debated several times subsequently but the House is now conceded that power by the Senate.*

* Ephraim D. Adams, *The Control of the Purse in the United States Government*, in *Kansas University Quarterly*, pp. 201-213 (April, 1894).

CHAPTER VI.

1865-1873.

FOREIGN RELATIONS.

Great Britain, France and Spain in Mexico—Purchase of Alaska—Attempted purchase of Danish West Indies—Treaty with China—"Alabama Claims"—Decisions of the various tribunals of arbitration—Grant's attempt to annex San Domingo—Treaty rejected—Sumner removed from chairmanship of Foreign Relations Committee—Corean dispute and treaty—Cuban relations and the Virginius affair.

After the war the government was able to devote its undivided attention to the settlement of disputes with foreign countries. On October 31,

1861, Great Britain, France and Spain had entered into a tripartite agreement for the despatch of a great military expedition to Mexico, ostensibly

suivants,

Article I

Le Président des États-Unis, le Président des Russes s'engage par cette Convention, échange à Washington dans le terme de trois mois à compter du jour de la signature ou plus

après l'échange des ratifications, tout le terrain et les possessions Russes situées au nord-est de l'Amérique septentrionale.

En foi de quoi les Plenipotentiaires respectifs ont signé cette Convention et y ont apposé leurs armes.

Le dit territoire d'aut Empire dans les limites géographiques ci-dessous indiquées, de l'an de Notre Seigneur mil huit cent soixante et sept.

Commencement entre les possessions Russes et l'Amérique dans l'Alouette du Sud, ainsi que de l'est-est-est, par la Convention. Commencement entre la Russie et la Grande-



William Howard,

to protect their subjects and to enforce the payment of certain claims.* Though they expressly disavowed any intention to secure territory or coerce the nation respecting the form of government, the three countries nevertheless sent a combined military and naval force to Vera Cruz. The United States was asked to join the intervening powers but refused, and Secretary Seward warned them against an attempt to acquire territory or to interfere with the government of Mexico.†

The British and Spanish governments soon discovered the designs of the French and left the latter to carry their plans through to completion as best they might.‡ The French, though Louis Napoleon repeatedly assured our government to the contrary,|| then proceeded to make a practical conquest of the country. The Archduke Ferdinand Maximilian, of Austria, was placed on the throne with the title of Emperor and supported by French bayonets alone.§

But when the Civil War was hap-

pily terminated, a large army under General Sheridan was sent to the Rio Grande frontier prepared for any emergency. General Sherman was also sent as an escort to the American minister accredited to Juarez, the constitutional president of Mexico. Early in 1866 Secretary Seward informed the French emperor that the presence of his troops in Mexico was distasteful to the United States, and demanded their withdrawal. The demand was complied with in December, 1866, and in January, February and March, 1867, and there was no occasion for bringing the army into action. The French emperor then deserted Maximilian, who, after struggling against the native republican government for a while, was captured and shot, June 19, 1867. His wife, the Empress Carlotta, not long afterward became a hopeless maniac.*

In March, 1867, as Russia had signified her desire to sell her American possessions, negotiations for the purchase of Alaska and the islands adjacent thereto were instituted by Secretary of State Seward. After several conferences the price of \$7,200,000 was agreed upon and a treaty was signed by Seward and by Stoeckl,

* *Diplomatic Correspondence*, 1862, Mexican Affairs, pp. 134-135.

† *Foreign Affairs*, 1863, p. 709; 1868, p. 726; *Globe*, 37th Congress, 3d session, App., p. 94; 38th Congress, 1st session, p. 1408; *Appleton's Annual Cyclopædia*, 1864, p. 528; 1865, p. 321; Hay and Nicolay, *Abraham Lincoln*, vol. vi., chap. xi.

‡ Lord Edmond George Fitzmaurice, *The Life of Granville George Leveson Gower, Second Earl Granville*, vol. i., pp. 440-441; George F. Tucker, *The Monroe Doctrine*, pp. 93-97.

|| *Diplomatic Correspondence*, 1862, p. 348; 1863, pp. 96-109; F. W. Seward, *Seward at Washington*, vol. ii., p. 189.

§ John B. Henderson, Jr., *American Diplomatic Questions*, pp. 389-397 (The Macmillan Co.); Seward, vol. ii., pp. 190-191.

* *House Ex. Doc.* No. 93, 39th Congress, 1st session; Henderson, *American Diplomatic Questions*, pp. 397-407; Seward, *Seward at Washington*, vol. ii., pp. 361-366; T. K. Lothrop, *William H. Seward*, pp. 387-394; Bancroft, *Life of Seward*, vol. ii.; Hay and Nicolay, *Abraham Lincoln*, vol. vii., chap. xiv.; Grant's *Memories*, pp. 515-546; Badeau, *Grant in Peace*, pp. 52-55, 180-189; Sheridan's *Memoirs*, vol. ii., pp. 210-228; W. T. Sheridan's *Memoirs*, vol. ii., pp. 414-420; Schofield, *Forty-six Years in the Army*, pp. 378-393.

the Russian minister at Washington.* On March 30 it was submitted to the Senate and sent to the Committee on Foreign Relations, of which Sumner was chairman. On April 1, after the special executive session of Congress had convened, the bill was favorably reported and was debated for several days. Though there was much adverse criticism, because many thought Alaska a barren and worthless country and not worth the price asked, still the Senate ratified the treaty April 9 by a vote of 37 to 2, and it was proclaimed, June 20. The House then debated the matter for more than a year and it was not until July 27, 1868, that a bill appropriating the necessary funds for payment was passed and signed.†

Seward at this time also attempted to pass through Congress a treaty for the purchase of the islands of Saint Thomas and Saint John in the Danish West Indies. His negotiations were brought to a conclusion on October 26, 1867, when a treaty was signed at Copenhagen transferring ownership to the United States for the sum of \$7,500,000 in gold. But when the treaty was sent to the Senate in December for ratification it received unfavorable consideration, the House passing a two-thirds vote against the acquisition of the islands. The Senate

laid the treaty over for the consideration of another administration. It was not finally acted upon until the second year of Grant's administration when it was rejected.*

Before the adjournment of Congress in December, 1868, for the recess, the Senate ratified an important treaty with China, which Anson Burlingame, the former American minister in that country, had negotiated with Secretary Seward July 28, 1868. Mr. Burlingame had won the entire confidence of the Chinese government, and after his resignation from the United States service had been appointed by the Chinese emperor commissioner to the western powers. He came attended by high officials of the Chinese empire and negotiated the treaty which established mutual intercourse between the citizens of the United States and those of China, and secured to each mutual privileges of trade, travel, education and religion. This was a concession never before made by the Chinese to any nation.‡

After the war the government more vigorously pressed the claim against Great Britain for damages inflicted on our commerce by the Confederate

* For text of treaty see Freeman Snow, *Treaties and Topics in American Diplomacy*, pp. 135-138.

† Pierce's *Sumner*, vol. vi., pp. 325-328; Storey's *Sumner*, pp. 338-340; Sumner's *Works*, vol. xi.; Seward, *Seward at Washington*, vol. ii., pp. 346-350, 383; John W. Foster, *A Century of American Diplomacy*, pp. 404-410; Blaine, vol. ii., pp. 334-340; Baneroff's *Seward*, vol. ii., p. 477 *et seq.*

* Pierce's *Sumner*, vol. iv., pp. 328-329, 613-624; Seward, *Seward at Washington*, vol. ii., pp. 344-345, 369-372, 375; Baneroff's *Seward*, vol. ii., p. 485; Eugene Schuyler, *American Diplomacy*, p. 23 (Charles Scribner's Sons).

‡ *Diplomatic Correspondence*, 1868, part i., pp. 493, 502, 601; 1870, pp. 317, 332; 1871, p. 166; Snow, *Treaties and Topics*, pp. 162-163; Foster, *American Diplomacy in the Orient*, pp. 257-266; Seward, *Seward at Washington*, vol. ii., pp. 379-382; A. C. Coolidge, *The United States as a World Power*, p. 327 *et seq.*; and histories of China by Speer, Douglas, Williams, Nevins, etc.

cruisers *Alabama*, *Florida*, *Shenandoah* and others. These cruisers had been built in England during the war with the knowledge of the British authorities and had been allowed to depart on their careers of depredation without the slightest attempt at hindrance. The question as to whether the escape was due to sympathy for the Confederates or laxity in government circles and as to who was guilty of the negligence are not for us to discuss here.* It is sufficient to say that

* While English statesmen strenuously fought against the submission of the "Alabama claims" to arbitration, many of them were willing to admit that they were at fault. The detention of the *Alabama* by the British authorities could easily have been accomplished had they chosen to act promptly. But not until after the horse had been stolen were attempts made to lock the barn door. "If orders had been given to detain her at any port which she entered, her necessities must sooner or later have placed her in the hands of the British authorities. Lord Russell was ready to take this course; he actually drafted a dispatch directing the detention of the vessel. But no member of the cabinet except the Duke of Argyle approved the proposal. The Chancellor was 'vehement' against it and it was given up"—Spencer Walpole, *Life of Lord John Russell*, vol. ii., p. 355 (Longmans, Green & Co.). The Duke of Argyle in a letter to Lord Russell (p. 355) says: "If this order had gone forth, one great plea of the Americans could never have been urged against us; and the American claims would perhaps have never been made at all. * * * America had reason and right in complaining that the 'Alabama' was received in all our ports, and * * * so far we were in the wrong." Russell nevertheless claimed that America had no cause for damages against Great Britain and strongly objected to submitting the claims to arbitration, but later he said that the failure to detain the *Alabama* was his own fault—p. 361 footnote. There is much dispute as to the person guilty of the laxity. Stuart J. Reid, in his *Lord John Russell*, p. 363 *et seq.*, says that "Lord Russell, in spite of the generous admission which he himself made in his 'Recollections,' was in reality not responsible for a blunder which almost led to war." Reid says that

these vessels created havoc with our merchant marine and the government sought to force the British government to reimburse us for the losses sustained, all the claims being bulked under the general title—"Alabama claims."† Minister Adams had been unable to effect a settlement and the negotiations drifted along seemingly without prospect of definite results. On the retirement of Adams, Reverdy Johnson, of Maryland, was sent to England (July, 1868) to negotiate a treaty. On January 14, 1869, he concluded with the English government what is known as the Johnson-Clarendon convention, by the terms of which all claims arising since July 26, 1853, were to be submitted to four commissioners, two for each country, and to an umpire in case of a disagreement.‡ The treaty was then submitted to the Senate, but after a long speech by Sumner§ it was rejected on April 13, 1869, by a vote of 54 to 1.

owing to the illness of the Queen's advocate, the opinion as to the legal points asked for by Lord Russell was delayed for four days and in the meantime the *Alabama* escaped.

* For the history of these claims and the early attempts to settle them see Charles C. Beauman, Jr., *The National and Private Alabama Claims and Their Final and Amicable Settlement*, pp. 1-298 and the works mentioned in the following pages.

† For negotiations and copy of this treaty see *Claims Against Great Britain*, vol. iii., pp. 692-789; John Bassett Moore, *International Arbitrations*, vol. i.; Bancroft's *Seward*, vol. ii.; Seward, *Seward at Washington*, vol. ii., p. 390 *et seq.*; C. F. Adams, Jr., *The Treaty of Washington*, in *Lee at Appomattox and Other Papers*, p. 92 *et seq.*

‡ Pierce's *Sumner*, vol. iv., p. 385; Sumner's *Works*, vol. xiii.; Dawes's *Sumner*, pp. 283-287; Storey's *Sumner*, pp. 364-368, and pp. 241-250,

Sumner's speech was unwise. He placed the damages at \$15,000,000 for "individual losses," \$110,000,000 as the loss to our merchant marine due to the recognition of belligerency by the British government to the Confederates and the fitting out of private vessels in British ports; and finally \$2,000,000,000 as her share of the costs of the war. Sumner claimed that the "Rebellion was originally encouraged by hope of support from England; it was strengthened at once by the concession of belligerent rights on the ocean; it was fed to the end by British supplies;" and thus "not weeks or months but years were added in this way to our war so full of costly sacrifice." As the war had cost four thousand million dollars and as British intervention had doubled its duration Sumner said: "England is partly responsible for the additional expenditure." This speech Sumner thought "kindly and pacific in tone,"* but his claim was certainly outrageous and the tone of his speech most bellicose.

Charles Francis Adams wrote that "the practical effect of this proceeding is to raise the scale of our own demands of reparation so very high that there is no chance of negotiation left, unless the English have lost all their spirit and character."† He even

felt apprehensive that the government might ultimately seize Canada by way of indemnification,* for our claim against England was too large to be paid in money and Canada was an easy asset. J. W. Grimes said in a letter to Fessenden: "Sumner has greatly injured our cause by presenting so many perfectly absurd arguments and urging them with so much bitterness."‡ Sumner, however, had no desire for war and said that we should acquire Canada only by "peaceful annexation, by the voluntary act of England and with the cordial assent of the colonists."

President Grant expressed his entire dissent from the provisions of the treaty,§ "thanked and congratulated Sumner on his speech,"|| but turned the English matter over to the Secretary of State, Hamilton Fish, and directed his attention to the expansion of the country toward the south instead of the north.

During 1870 Secretary Fish pursued the phantom of annexing Canada, even suggesting to the British minister, Sir Edward Thornton, that Great Britain withdraw from Canada and submit to the voters of the Dominion the question of independence. But in September, 1870, Thornton told

* Adams, *Treaty of Washington*, p. 103.

† Salter's *Life of Grimes*, p. 371 (D. Appleton & Co.) See also Adams, *Treaty of Washington*, pp. 208-211.

‡ See his annual message of December 6, 1869, Richardson, *Messages and Papers*, vol. vii., pp. 27-42.

|| Pierce's *Sumner*, vol. iv., pp. 255, 389, 393, 410.

341-342, 368-372 for Sumner's part in these transactions; Thomas W. Baleh, *The Alabama Arbitration*, pp. 95-107; *Globe*, 41st Congress, 1st session, App. 21.

* Pierce's *Sumner*, vol. iv., p. 386 *et seq.*

† C. F. Adams, Jr., *Charles Francis Adams*, p. 380.

Fish that the question of Canadian independence had no connection with the Alabama claims and that it was "impossible for Great Britain to inaugurate a separation," not even to the extent of "providing for the reference of the question of independence to a popular vote of the people of the Dominion. Independence means annexation."* Fish then dropped this phase of the question from the discussions.

Meanwhile Sir John Rose, a member of the Canadian ministry, had gone to England to labor there in the interests of peace and justice. He intimated to Fish in a private letter that the British cabinet was "disposed to enter on negotiations"† and early in January, 1871, he came to Washington to confer with Fish regarding the subject, giving him a confidential memorandum which later resulted in the Treaty of Washington.‡

Fish then sought Sumner's advice, to which he had a right owing to the latter's position as head of the Foreign Relations Committee,|| but the relations between the two had been

broken off by the Motley affair and Sumner, feeling that he was no longer a powerful factor in the conduct of foreign affairs, on January 17 submitted a proposition for the withdrawal of Great Britain from this hemisphere, by which, as Adams says, "he hoped at once to put an immediate stop to the proposed negotiation."**

But Fish and the President ignored Sumner's advice and after several conferences with Rose and Thornton an agreement was reached by which the two governments consented to submit their differences to a Joint High Commission which should by treaty arrange for the method of procedure and settlement and complete the necessary details. Each government thereupon appointed its commissioners.† Those of the United States were instructed to consider: (1) the fisheries; (2) the navigation of the St. Lawrence; (3) reciprocal trade between the United States and the Dominion of Canada; (4) the northwest water boundary and the Island of

* *Ibid*, pp. 147, 163, *et seq.*; Davis, *Mr. Fish and the Alabama Claims*, pp. 65-67. For a defense of Sumner's course see Pierce's *Sumner*, vol. iv., chap. lvi.

* Adams, *Treaty of Washington*, pp. 157-160.

† *Ibid*, pp. 126-128, 162. Lord Granville in a letter to Mr. Gladstone said that "the best bargain for this country [Great Britain] would be to let the San Juan Arbitration go by default on condition that the Americans give up the Alabama claims of all sorts. It would take away the grievance of the Americans and we should give up what the Americans are sure to get in the end * * *."—Fitzmaurice, *Second Earl Granville*, p. 83 and letter on p. 86 (Longmans, Green & Co.).

‡ J. C. Bancroft Davis, *Mr. Fish and the Alabama Claims*, pp. 59-64; Moore, *International Arbitrations*, vol. i., pp. 525-526.

|| Adams, *Treaty of Washington*, pp. 145-146.

‡ President Grant appointed Hamilton Fish, Secretary of State; Samuel Nelson, Associate Justice of the United States Supreme Court; Robert C. Schenck, Minister to England; Rockwood Hoar, formerly Attorney-General of the United States; and George H. Williams, formerly United States Senator from Oregon. Queen Victoria appointed George Frederick Samuel, Earl De Grey and Ripon, Sir Stafford Northcote, Sir Edward Thornton, British Minister at Washington, Sir John Alexander MacDonald, Premier of Canada, and Montague Bernard, Professor of International Law in the University of Oxford.

San Juan; (5) the claims of the United States against Great Britain on account of acts committed by Confederate cruisers; and (6) claims of British subjects against the United States for losses and injuries arising out of acts committed during the recent war.

The commissioners assembled at Washington February 27, 1871, and Lord Tenterden, Secretary of the British Commission, and J. C. Bancroft Davis, Assistant Secretary of State of the United States, were chosen clerks of the commission. After many meetings and a full discussion of the subject,* a treaty was agreed upon, which provided for the settlement of all claims by arbitration.† This treaty was signed May 8, 1871, was speedily ratified by the two governments, and proclaimed July 4. The "Alabama Claims," were to be adjusted by a mixed commission of five members to meet at Geneva, Switzerland; a commission which should meet at Washington was to

adjust all other claims for loss or damage of any kind between 1861 and 1865; the San Juan boundary dispute was referred to the Emperor of Germany; and the fisheries dispute was to be settled by a commission to meet at Halifax, Nova Scotia. The arbitrators to the Geneva Convention were then appointed.*

The Tribunal of Arbitration assembled at Geneva, Switzerland, on December 15, but after two meetings, it adjourned to June 15, 1872. A final meeting was held in September of that year, and on the 14th of that month its decision was announced, the terms of which decreed that Great Britain should pay the United States, \$15,500,000 in gold. This amount was paid in September, 1873. A commission was afterward appointed to distribute the award among the claimants for damages.‡

* A resumé of the negotiations is given in Davis's *Mr. Fish and the Alabama Claims*, p. 73 *et seq.*

† The treaty is given in *The Case of the United States to be laid before the Tribunal of Arbitration to be Convened at Geneva*, pp. 12-16, *Senate Ex. Doc. No. 31*, 42d Congress, 2d session. All the official correspondence and papers were printed in five volumes with two supplementary volumes of documents, etc. See also Snow, *Treaties and Topics*, pp. 95-102; Balch, *The Alabama Arbitration*, pp. 116-120; Caleb Cushing, *The Treaty of Washington*, pp. 21-26, 257-274; Pierce's *Sumner*, vol. iv., p. 488 *et seq.*; and for the English version John Morley, *Life of William Ewart Gladstone*, vol. ii., pp. 397-405; Andrew Lang, *Life, Letters and Diaries of Sir Stafford Northcote*, vol. ii., pp. 1-24.

* The United States appointed Charles Francis Adams, and Great Britain, Sir Alexander Cockburn. The two governments jointly invited the Emperor of Brazil, the King of Italy and the President of the Swiss Confederation each to appoint an arbitrator. The Emperor of Brazil appointed Baron d'Itajubá; the King of Italy chose Count Frederic Sclopis; and the President of the Swiss Confederation appointed Jacques Stampfli. J. C. Bancroft Davis was appointed agent of the United States, and Lord Tenterden of Great Britain.

‡ Moore, *International Arbitrations*, vol. i., chap. xiv.; vol. iv., chap. lxviii.; Foster, *American Diplomacy*, pp. 421-431; Bancroft's *Seward*, vol. ii.; Adams, *Charles Francis Adams*, pp. 382-389, 392-397; Morley, *Gladstone*, vol. ii., pp. 406-413; Davis, *Mr. Fish and the Alabama Claims*, pp. 87-104; Balch, *Alabama Arbitration*, pp. 122-144; Cushing, *Treaty of Washington*, pp. 30-74, 99-186, 275-280; Fitzmaurice, *Second Earl Granville*, vol. ii., pp. 91-108; Walpole, *Lord Russell*, vol. ii., pp. 361-367; S. H. Jeyes, *Life and Times of the Marquis of Salisbury*, vol. i., pp. 152-154.

The United States of America
and Her Dominion Maps &c. being
decisions to provide for an amicable
settlement of all causes of difference
between the two countries, have for that
purpose appointed their respective
Representatives, that is to say: the
President of the United States, has
appointed on the part of the United
States as Commissioners in a joint
High Commission and Joint Arbitration
Hamilton Fish, Secretary of State,
Robert Cumming, Secretary, Envoy

the Eighth day of May, in the year of
our Lord one thousand eight hundred
and

Forty-ninth Year

of the United States

signed

Charles Rockwood Hoar

for the United States

delivered

Robert Cumming

for the United States

for the United States

for the United States

The commission to adjust "all claims on the part of corporations, companies or private individuals, citizens of the United States, upon the Government of her Britannic Majesty; and on the part of corporations, companies or private individuals, subjects of her Britannic Majesty, upon the Government of the United States" consisted of three members, one each appointed by the President of the United States. Her Britannic Majesty and the third by the two conjointly.* The commission was organized at Washington, September 26, 1871, and made its final award at Newport, R. I., September 25, 1873. All the American claims (19 in number) were rejected, but 181 of the 478 British claims were awarded in favor of the claimants. These claims amounted to \$1,929,819 and the amount was appropriated by Congress and paid to the British government.

The fisheries dispute was not settled for many years.

The boundary dispute, having been referred to the Emperor of Germany, was decided on October 21, 1872, in favor of the United States. The decision added to our territory the Island of San Juan, the dominion in dispute.†

* The commissioner for the United States was James S. Fraser, of Indiana; for Great Britain, Rt. Hon. Russel Gurney, M. P., and Count Louis Corti, Minister from Italy at Washington, was selected as the third. Robert S. Hale, of New York, was the American agent and Mr. Henry Howard, one of the British secretaries of legation at Washington, was the British agent.

† Blaine, vol. ii., pp. 488-502; Cushing, *Treaty of Washington*, pp. 203-225.

As has already been said when President Grant placed the English controversy in the hands of Secretary Fish he turned his gaze southward. The object of his attention was San Domingo, which he believed was rich in resources and though it had only a population of 120,000 was "capable of supporting a population of 10,000,000 people in luxury."*

Grant, believing that the bay of Samana at the eastern end of San Domingo was desirable as a coaling station for the navy, sent Orville E. Babcock, one of his military staff, to the island in July, 1869, to examine it and report. Babcock, entirely without authority, executed a protocol of annexation with San Domingo‡ and upon his return Grant laid the matter before the Cabinet where it met with a cold reception,§ because of the unusual course of procedure and because there had been no serious sentiment among the members that the United States *wanted* San Domingo. Secretary Fish, feeling that he was compromised because the matter had been concluded without his authority or consent, resigned, but Grant induced him to withdraw the resignation.

The President then decided to force matters, and again sent Babcock to San Domingo, where on November 29, 1869, he concluded two treaties, one

* See his messages of May 31, 1870, and December 5, 1870, Richardson, *Messages and Papers*, vol. vii., pp. 61-63, 96-112.

† Pierce's *Sumner*, vol. iv., p. 430.

‡ J. D. Cox, *How Judge Hoar Ceased to be Attorney-General*, in *Atlantic Monthly*, vol. lxxvi. (August 1895).

leasing Samana Bay and the other annexing the republic, for which our government was to pay San Domingo the sum of \$1,500,000 to be used in liquidating her debt.* Grant now used his influence with the Senate to bring about the ratification of the treaty and endeavored to enlist the support of Sumner, who, as chairman of the Committee on Foreign Relations, promised "most careful and candid consideration."† Grant mistook this for an attitude of support, and when on March 15, 1870, Sumner spoke against it, the President considered that Sumner had turned traitor. The treaty was voted on in the Senate, June 30, 1870, the result being a tie, 28 to 28; and as two-thirds were required for ratification, the treaty was therefore rejected.‡

Grant held Sumner responsible for the defeat of the treaty and for the charges of fraud and corruption which were levelled at him because of his apparent anxiety to secure the ratification of the treaty. He felt that Sumner should be removed from the chairmanship of the Committee on Foreign Relations. But as this was now impossible, Grant resolved to strike back by ordering Secretary Fish, on July 1, 1870, to recall John Lothrop Motley who had succeeded Reverdy Johnson as minister to Eng-

land at the solicitation of Sumner.* Motley refused to resign and remained at his post until December when he was removed.†

Grant was persistent and his defeat made him still more obstinate. In his message of December 5, 1870,‡ he urged more strongly than ever that the acquisition of San Domingo was highly desirable and recommended that Congress allow him to appoint a committee to negotiate a treaty for that purpose. But he was informed by Senator Morton that the Senate would not accede to his request and that the next best thing was to secure the appointment of a committee of investigation. Morton then introduced such a resolution in the Senate.|| The split between Sumner and Grant was now complete, and Sumner was as implacable as Grant. But Sumner made the mistake of regarding "difference of opinion as a moral delinquency" on Grant's part.§ When Morton's resolution for a committee of investigation was brought before the Senate for discussion, Sumner (though he had nothing to gain by fanning the flames as Grant lacked power to force the treaty through the Senate) insisted

* Seward's *Works*, vol. v., p. 28; Blaine, vol. ii., p. 458.

† Pierce's *Sumner*, vol. iv., pp. 433-436; Davis, *Mr. Fish and the Alabama Claims*, pp. 49-55.

‡ Pierce *Sumner*, vol. iv., pp. 439-445; Storey's *Sumner*, pp. 379-386.

* There is much dispute as to this. Motley's appointment is said to be due to Sumner by Badeau, *Grant in Peace*, pp. 197-218; and Davis, *Mr. Fish and the Alabama Claims*, pp. 19-30; but Pierce claims not, *Sumner*, vol. iv., p. 381.

† O. W. Holmes, *Memoir of Motley*, chap. xxi.; Adams, *Treaty of Washington*, pp. 105-117, 121-122, 133-141; *Senate Ex. Doc.* No. 11, 41st Congress, 3d session.

‡ Richardson, *Messages and Papers*, vol. vii., p. 99.

|| Foulke, *Life of Morton*, vol. ii., p. 151 *et seq.*

§ Adams, *Treaty of Washington*, p. 110.

upon making a speech against it. This he did on December 21, 1870, in a highly inflammatory and extravagant style, declaring that "the resolution commits Congress to a dance of blood," etc.*

Nevertheless Morton's resolution passed the Senate and the House agreed to it with an amendment providing that Congress would not be committed to the policy of annexation. Three commissioners—Andrew D. White, Benjamin F. Wade and Samuel G. Howe—were then appointed. They visited San Domingo† and made a report favoring annexation; but this report did not lead to the ratification of the treaty, for Grant had learned that public opinion would not sustain his policy and admitted it in his message accompanying the report. The matter was therefore dropped as a national concern.‡

Grant's disagreement with Sumner caused the removal of the latter from the chairmanship of the Committee by the President's supporters upon the opening of the first session of the Forty-second Congress, March 4, 1871.

* Pierce, vol. iv., p. 457 *et seq.*, gives a somewhat favorable abstract of the speech. See also Storey's *Sumner*, p. 389; Blaine, vol. ii., pp. 458-463.

† An interesting account of the trip is given in Andrew D. White's *Autobiography*, vol. i., pp. 483-507.

‡ Andrews, *Last Quarter-Century*, vol. i., pp. 48-56; Dawes, *Sumner*, pp. 290-298; Storey's *Sumner*, pp. 388-394; Church's *Grant*, pp. 376-379. For official papers see Richardson's *Messages and Papers*, vol. vii., pp. 128-131; *Senate Ex. Docs.* Nos. 7 and 24, *House Ex. Doc.* No. 42, 41st Congress, 3d session; *Senate Ex. Doc.* No. 35, 42d Congress, 1st session; *Senate Ex. Doc.* No. 9, 42d Congress 2d session.

This act aroused great indignation in the Republican party, and the party press roundly flayed the administration for the action.*

Mr. F. F. Low, United States minister to China, and Mr. Seward, consul-general at Shanghai, went to Korea in April, 1871, on Rear-Admiral Rogers's squadron of five vessels, then in Asiatic waters. They made an attempt "to negotiate a convention securing rescue and protection to our shipwrecked mariners and property." After arrival they sailed up the Salu River for the purpose of making surveys. To this the authorities offered no objection, but on June 1 several of the vessels were fired upon by the Korean forts, which the Americans soon silenced. On the 10th and 11th of June a large force of Americans was landed, and after a short fight captured and destroyed the forts and batteries and killed over 250 Koreans. Negotiations for treaties were thus nipped in the bud, and it was not until May 22, 1882, that a treaty was concluded, opening ports to our commerce and securing aid and

* Blaine, vol. ii., pp. 503-506; Boutwell's *Reminiscences*, vol. ii., pp. 214-220; Storey, pp. 394-400; Schurz, *Reminiscences*, vol. iii., pp. 307-308, 323-330; Pierce's *Sumner*, vol. iv., pp. 460-482; Adams, *Treaty of Washington*, pp. 163-177, 180-184, 225-244. Davis (*Mr. Fish and the Alabama Claims*, p. 68) says that as Sumner's term had expired, there was no removal, but that the Senate simply "elected another Senator to succeed him." But as Sumner had served on the Committee for many years in the capacity of chairman and as he was not to leave the Senate, the "election of another Senator" amounted to the same thing. See also Davis's letter reprinted from the *New York Herald* of January 4, 1878, pp. 109-146.

protection to vessels and seamen and safety to our citizens in that country.*

For several years the people of Cuba had been in revolt against the authority of Spain, and much sympathy was felt for them by the people of the United States.† The insurgents had made appeals to the government for aid‡ and in 1869 President Grant was induced to issue a proclamation according them belligerent rights. Before he executed this document, however, he consulted with Sumner who attempted to persuade him that it was inadvisable at this juncture.¶ But Grant was confident that the Cubans would succeed in their revolt and on August 19, 1869, signed the proclamation and gave it to Assistant-Secretary of State Bancroft Davis with instructions to give it to Secretary Fish to sign and affix the official seal. Fish signed the document, but feeling that Grant's policy was unwise he withheld the proclamation until he should receive further instructions. Grant's attention was now absorbed by the "Gold Conspiracy" of Gould and Fisk, the financial situation in

general and other important matters, and the proclamation was evidently forgotten by him for some time. When he did again consider it, he readily saw that Fish had saved him from an indiscreet and unwise action.*

Thus matters drifted along for some time and the government concerned itself only with preventing any infractions of international law due to the sailing of filibustering expeditions from our shores to carry arms and aid to the Cuban insurgents. In this the government was remarkably successful, though many succeeded in gaining Cuban shores. In the fall of 1873 one of these vessels, the *Virginus*, commanded by Captain Fry and flying the American colors, eluded the government authorities and sailed for Cuba, but before the vessel had reached her destination, she was seized on the high seas near Jamaica, October 30, by the Spanish war vessel *Tornado*. The *Virginus* was taken to Santiago de Cuba and fifty-three of the crew and passengers were condemned to death by the Spanish authorities there. Between November 4 and 8 these fifty-three were shot among them being eight American citizens.†

Further executions were prevented by the arrival of a British warship. Intense excitement prevailed throughout the United States and public indignation meetings were held in sev-

* W. E. Griffis, *America in the East*, pp. 195-200, and *Corca, the Hermit Kingdom*, pp. 403-419; Foster, *American Diplomacy in the Orient*, pp. 314-317; J. Morton Callahan, *American Relations in the Pacific and the Far East*, p. 111 *et seq.*, in *Johns Hopkins University Studies in Historical and Political Science*, series xix., nos. 1-3 (January-March, 1901).

† J. Morton Callahan, *Cuba and International Relations*, pp. 364-371, in *Johns Hopkins University Studies in Historical and Political Science*, extra vol. xxi. (1899).

‡ Appleton's *Annual Cyclopaedia*, 1869, p. 208.

¶ Grant and Sumner were still friendly at this time. See Pierce's *Sumner*, vol. iv., pp. 403, 405, 409, 425-426.

* Adams, *Treaty of Washington*, pp. 117-121; Callahan, *Cuba and International Relations*, p. 375.

† Callahan, pp. 371-373.

eral cities. Troops were offered the government should it decide to declare war. The President also authorized the Secretary of the Navy to prepare the navy for any emergency. The government demanded reparation of Spain and the Castelar government finally agreed to restore the *Virginus* and the surviving members of the crew and passengers and pay an indemnity to the families of the victims. A protocol to that effect was signed at Washington, November 29, 1873, by the Spanish minister, Admiral Polo, and the American Secretary of State, Hamilton Fish. On December 16 the *Virginus* was placed in the hands of the United States authorities at Bahia Honda, Cuba, and the prisoners were released two days later. On her re-

turn voyage the *Virginus* sank off Cape Fear, North Carolina, December 26, 1873, but her passengers and crew were saved by the sloop-of-war *Juniata*. Subsequently an indemnity of 80,000 Spanish dollars (yielding, less exchange, \$77,794.44 in coin) was paid to the United States.*

* Moore, *American Diplomacy*, pp. 79-80; *Foreign Relations*, 1874, pp. 922-1113; Rhodes, vol. vii., pp. 29-36; Callahan, *Cuba and International Relations*, pp. 406-411; Fitzhugh Lee and Joseph Wheeler, *Cuba's Struggle against Spain*, pp. 153-161; Sumner's Works, vol. xv.; James J. Roche, *By-ways of War*, pp. 238-251; and the contemporary files of *The Nation*. For official papers and messages see Richardson, *Messages and Papers*, vol. vii., pp. 31-33, 64-69, 240-241, 256-258; *Senate Ex. Doc.* No. 7 and *House Ex. Doc.* No. 140, 41st Congress, 2d session; *Senate Ex. Doc.* No. 32, 42d Congress, 2d session; *House Ex. Doc.* No. 30, 43d Congress, 1st session; *Senate Ex. Doc.* No. 29 and *House Ex. Doc.* No. 90, 44th Congress, 1st session.

CHAPTER VII.

1868-1872.

RECONSTRUCTION: KU KLUX: ENFORCEMENT ACTS.

Virginia ratifies constitution — Representatives admitted to Congress — Mississippi elections — Re-admitted — Reconstruction of Texas completed — Fifteenth Amendment becomes part of the Constitution — Trouble in Georgia over Negro — Military district revived — Negroes reinstated — Bullock induces legislature to pass new election law — Democrats win election — Bullock resigns and flees — Is arrested, tried and acquitted — Georgia readmitted — Power of Negro — Carpet-bag régime — Union or Loyal League — Whites organize Ku Klux Klan to combat negro rule — White Camelia and other orders — Anti-Ku Klux laws — Enforcement Acts — Conditions in North Carolina — Ku Klux arrests — Elections carried by Democrats — Governor Holden impeached and removed — Suspension of *habeas corpus* in South Carolina — Reports of committee investigating affairs in South — Amnesty Bill introduced in Congress — Sumner introduces Civil Rights Bill — Both fail to pass — Amnesty Bill finally passed — Numbers relieved of disabilities — Republican majority in Congress reduced — Federal Election Act amended.

We must now turn again to affairs in the Southern States. During the summer of 1868 those States which

had ratified the Fourteenth Amendment were readmitted, as we have seen, and the generals then turned the

government over to the officials who had been elected. The States of Virginia, Mississippi and Texas were, however, excepted, as they had not as yet adopted their constitutions nor ratified the Amendment, and they therefore continued under military rule. Georgia also was without representation in Congress.

In Virginia, it will be remembered, there had been a loyal government with its seat first at Wheeling and then at Alexandria. This government was represented in Congress throughout the war. On May 9, 1865, President Johnson had recognized this government as the true government in Virginia and on May 25 it was transferred to Richmond.* Elections for members of the legislature and lower House of Congress were held on October 12, 1865, and at this time the people also voted on an amendment to the State constitution granting suffrage and eligibility substantially to the old ante-bellum electorate on condition of future loyalty to the United States. The amendment was ratified by a large majority, and it only remained for Congress to admit the elected representatives, but when they presented themselves the following December they were excluded by the Stevens resolution along with the representatives from the other "Johnson States."† Following this, on Febru-

ary 15, 1866, the State legislature enacted the Vagrant Act,* and on January 9, 1867, refused to ratify the Fourteenth Amendment. The State was therefore included among those needing reconstruction and placed under military rule. The registration of voters was then undertaken and the election of delegates to a constitutional convention followed.† The delegates to the convention of December, 1867, were radical and bent on retaliation upon those who had participated in the "rebellion." They "drafted and adopted such provisions in regard to suffrage qualifications and eligibility to office and mandate as would have put the 'State' government, based upon such a constitution in the hands of negroes, 'scalawags' and 'carpet-bag adventurers.'" But as the Federal government had failed to provide means for holding the election, the ratification was postponed indefinitely.‡

A committee of prominent Virginians was therefore appointed to protest to the authorities in Washington. Thither the committee repaired in January, 1869, and presented their case before committees of both Houses of Congress and to the President-elect, Grant.

As a result, soon after his inauguration, the President sent a message to Congress (April 7, 1869) requesting that Congress permit him to submit

* Chandler, *History of Suffrage in Virginia*, p. 326.

† H. J. Eckenrode, *The Political History of Virginia During the Reconstruction*, in *Johns Hopkins University Studies in Historical and Political Science*, series xxii., nos. 6, 7, 8, pp. 315-325.

* *Ibid.*, p. 327, et seq.

† *Ibid.*, pp. 350-372.

‡ Chandler, *Suffrage in Virginia*, pp. 330-338; Eckenrode, pp. 373-394.

the constitution to the voters in such a way that they could vote separately "upon such parts as might be thought expedient."* He also recommended that the constitution, "or such parts thereof as shall have been adopted by the people," should be submitted to Congress in the following December.† Congress granted the necessary authority‡ and on May 14, 1869, the President directed that the constitution be submitted on July 6 for ratification or rejection and that the disfranchising and test oath clauses be voted on separately. Consequently the people ratified the constitution by over 200,000 majority on that date, but the disfranchising and test oath clauses were rejected by about 40,000 majority.|| Members of Congress and State officials were chosen at this election, the conservatives electing the governor and a majority of the legislature. The result of the election was undoubtedly due to the fact that Grant was said to favor the Conservatives and desired their success, but this was denied by Conkling soon afterward.§

In December, 1869, the Senators and Representatives from Virginia presented themselves for admission and their claims were sustained by the

President. The State, beside ratifying the Fourteenth Amendment, had also ratified the Fifteenth (October 8, 1869) and after much discussion the bill enabling the State to resume her position in the Union was passed, and by the act of January 26, 1870, Virginia again resumed her "proper practical relations" in the government.*

In Mississippi we have seen that the constitution as adopted by the convention had been rejected by popular vote, because of the opposition to the proscriptive clause and the clause allowing the loaning of the credit of the State. Therefore as the act of Congress of April 10, 1869, gave him power,† President Grant issued a proclamation July 13 commanding that the constitution be submitted once again to the people in such a way that they could vote separately on the obnoxious clauses. He appointed Tuesday, November 30, as the date for the election.‡ There was practically no difference of opinion between the radicals and conservatives concerning the State constitution and the obnoxious clauses; the chief fight was over the offices. Though the President's brother-in-law, Judge Louis Dent was the Conservative candidate for the governorship, President Grant openly

* Richardson, *Messages and Papers*, vol. vii., pp. 11-12.

† Richardson, *Messages and Papers*, vol. vii., pp. 13-15; McPherson, *Political History*, p. 417; Eckenrode, *Virginia during Reconstruction*, pp. 395-407.

‡ McPherson, pp. 408-410.

§ Chandler, *Suffrage in Virginia*, p. 339; Eckenrode, p. 411.

§ Dunning, *Essays*, p. 233; *Appleton's Annual Cyclopædia*, 1869, p. 711 *et seq.*

* Eckenrode, *Virginia during Reconstruction*, pp. 412-414; Burgess, *Reconstruction*, pp. 223-229; Cox, *Three Decades*, pp. 223-229.

† For the details of the efforts to secure the enactment of this law over the adverse opinions of Congressional and other committees see Garner, *Reconstruction in Mississippi*, pp. 217-228.

‡ Richardson, *Messages and Papers*, vol. vii., pp. 16-17.

expressed the opinion that the welfare of the State demanded the success of the radicals, under J. L. Alcorn. Dent was badly beaten, the radicals electing all candidates for Congress and a large majority of the legislature. The constitution was adopted and the objectionable clauses rejected by overwhelming majorities. On January 17, 1870, the State ratified the Fourteenth and Fifteenth Amendments. Congress passed a bill readmitting the State to the Union on the same terms as granted to Virginia.* The bill was signed by Grant February 23, 1870, and on the 26th military rule was terminated.†

In Texas the factional fight had gradually subsided, and the convention, which met in Austin, June 1, 1869, finally succeeded in framing a constitution suitable to the people and in accord with the mandates of Congress. In the November elections this constitution was overwhelmingly ratified, the radical Republicans electing the governor at the same time. The legislature met in February, 1870, on the 18th adopted the Thirteenth, Fourteenth and Fifteenth Amendments and on March 30 by act of Congress the State was again admitted to the Union.‡

Now therefore as the Fifteenth

Amendment had been ratified by the necessary number of States, the fact was certified by Secretary of State Fish and on March 30, 1870, the Amendment was proclaimed a part of the fundamental law.*

Meanwhile in Georgia there was a sharp fight over the negro. Rufus B. Bullock, the Republican candidate, had been elected governor, and 28 negroes† had been elected to the legislature, which met in July, 1868. The Fourteenth Amendment was ratified and, as all the other demands of Congress had been complied with, the government was turned over to the civil authorities.‡

But in September, 1868, the legislature, which had a Democratic majority, expelled the negroes who had been elected to that body on the ground that though the constitution gave them the right to vote it did not give them the right to hold office. Governor Bullock protested to Congress, and when the Forty-first Congress was organized in March, 1869, the representa-

* Richardson, *Messages and Papers*, vol. vii., pp. 55-57; McPherson, *Political History*, pp. 545-562. Thorpe, *Constitutional History*, pp. 275-276, says: "The Fifteenth Amendment would never have been ratified had it not been for the coercive reconstruction acts. The state of public affairs enabled Congress to compel the late insurrectionary states to ratify the amendments; but the South ratified the Thirteenth, partly in confidence that ratification would restore it to its federal relations, and partly because of the necessity of the situation. It ratified the Fourteenth and Fifteenth Amendments under the coercion of reconstruction—the coercion of the federal bayonet and of negro votes."

† Some say 27, but the exact number is immaterial.

‡ Woolley, *Reconstruction of Georgia*, pp. 509-513.

* *Globe*, part i., pp. 1013-1364, 41st Congress, 2d session.

† Garner, *Reconstruction in Mississippi*, pp. 237-248, 269-277; Mayes, *Lamar*, pp. 163-164.

‡ *Appleton's Annual Cyclopædia*, 1869, pp. 673-678; Cox, *Three Decades*, pp. 523-531; George P. Garrison, *Texas: A Contest of Civilizations*, p. 296.

tives elected by the State were refused admission. The State was then again put under military rule, the third military district being revived. Bullock was directed by act of Congress approved by President Grant December 22, 1869, to reconvene the legislature, to purge that body of whites who sat illegally, and to include the expelled negroes.* He was directed to see that

*And yet in December, 1868, these same Republican Congressmen had made a most determined fight to keep a negro (duly elected and properly accredited) from becoming a member of their own body. Governor Warmoth, of Louisiana, had certified that J. Willis Menard, a resident of New Orleans, had been elected to fill a vacancy from the second district of Louisiana. A. K. McClure in his *Recollections*, p. 252, says: "The House was largely Republican but the idea of admitting a negro into Congress threw many of the Republican members into a hysterical condition. They could not frankly oppose him because he was a negro, and they made a microscopical examination of the regularity of his credentials. He was allowed to be heard in defense of his own case * * * but his certificate was rejected by an overwhelming majority and the Republican leaders breathed more freely because they had for at least a season escaped the fellowship of a black man in the councils of the nation." It was the same with Hiram R. Revels in 1870, a well-educated and highly respected colored Methodist minister who was chosen to the Senate to fill Jefferson Davis's vacant seat. McClure says "the Republican leaders * * * were in consternation at the threatened advent of the negro in the Senate" and "the party leaders made exhaustive study to find some reasonable excuse for refusing the seat to Revels." For a month these champions of the black race lacked nerve to bring his credentials up for discussion and a debate then followed which occupied three days, but though the Republican Senators "invented many excuses for rejecting the credentials with the negro behind them," Revels was qualified. But "during his term of little more than one year he enjoyed the solitude that was broken by very few of his fellow-Senators in social intercourse even on the floor of the Senate." Strange conduct on the part of those who preached social and political equality for the negro and

the Fifteenth Amendment was passed. The legislature therefore met January 10, 1870, and after much excitement and tumult finally effected an organization and the negroes were allowed to retain their seats. The Fourteenth and Fifteenth Amendments were then ratified, though as the former was already a part of the Constitution it was not necessary for Georgia to take such action. Congress then directed the Judiciary Committee to investigate conditions in Georgia. This Committee reported that the conduct of the convention and the legislature was "improper, illegal and arbitrary," and therefore Congress ordered a new election to be held in November, 1870. Shortly afterward a bill admitting the State into the Union was passed and signed by President Grant July 15, 1870.*

Governor Bullock, early in 1870, however, having been balked in his attempt to prolong the "purged" legislature, owing to the refusal of Congress to support him, determined to accomplish his purpose by different methods. The State Senate "passed a resolution that the legislature should not meet until January, 1872, that no

forced it down the throats of the Southerners. Congress did, however, later admit a number of negroes, but none has ever been seated in the Senate since 1881.

* Woolley, *Reconstruction of Georgia*, chaps. vi.-viii.; Avery, *History of Georgia*, pp. 394-437; Fielder, *Joseph E. Brown*, pp. 462-464; Dunning, *Essays*, pp. 244-247; Burgess, *Reconstruction*, pp. 235-246; McPherson, *Political History*, pp. 609-615; Rhodes, vol. vi., pp. 287-293; *Appleton's Annual Cyclopædia*, 1869, pp. 308-310; 1870, p. 331 *et seq.*

election for members of it should be held until November of that year, and that all State officers should remain in office until after such election.”* But Benjamin H. Hill and others urged President Grant to use his influence to prevent the consummation of Bullock’s plans. Grant did this and the Georgia House rejected the measure by a vote of 72 to 63, twelve Republicans voting with the Democrats. But Bullock was not to be cast aside thus easily, and he then succeeded in having the legislature pass a law setting the election for December 22, 1870, the voting to continue for three days. This was calculated to allow the negroes to travel from precinct to precinct and thus “repeat.” A provision was also made that the negroes should not be disfranchised because of unpaid taxes. This provision declared the poll tax levied for the three preceding years illegal, and it was also provided that no (negro) votes should be challenged or refused.†

Benjamin H. Hill and other Democrats threw themselves into the campaign with great energy, for they felt that the homes, the property and in fact the very lives of the Georgians were at stake.‡ But there was little or no disturbance on the days when the election was held. With the aid of a large number of negroes who voted the Democratic ticket|| the Democrats were surprisingly successful,

electing a large majority of the legislature and five of the seven Congressmen.

Bullock was then accused of having been extravagant with State funds, of fraudulently issuing several million dollars worth of railroad bonds and State securities, of pardoning criminals without reason, and of other forms of official corruption, including the use of the Western and Atlantic Railroad as a political machine.* As he realized his career was ended and feared impeachment he suddenly resigned October 23, 1871, and fled the State.† He was arrested in 1876, but at his trial in 1878 sufficient evidence for conviction was not produced and he was acquitted.‡ Nevertheless when the “million dollar legislature” of 1870 adjourned not a cent remained of the \$327,000 public school fund.||

During January and February, 1871, Congress admitted Georgia’s Senators and Representatives and in 1872 a Democratic governor was inaugurated. Home rule was established and Georgia has ever since voted the Democratic ticket.§

Thus the reconstruction was tech-

* Avery, *History of Georgia*, pp. 439-451; Fielder, *Joseph E. Brown*, pp. 463-485.

† Avery, pp. 457-463.

‡ B. H. Hill, Jr., in his life of his father, p. 61, says “the most searching investigation failed to disclose any evidence of his guilt. * * * This much a sense of justice induces me to write.” Hill was solicitor-general at the time and aided in the prosecution of Bullock. As he was antagonistic to Bullock in politics his certificate of honesty ought to bear weight.

§ Scott, *Repudiation of State Debts*, pp. 97-107.

§ *Appleton’s Annual Cyclopædia*, 1870, pp. 336-342; Cox, *Three Decades*, pp. 508-512.

* Avery, *History of Georgia*, p. 439 *et seq.*

† Woolley, *Reconstruction of Georgia*, p. 554.

‡ *Life of B. H. Hill* by his son, pp. 55-61.

|| *Ku Klux Report*, Georgia, vol. i.

nically completed as far as Congress was concerned. But trouble was not yet over, for the control of these State governments and even of the local administrations was in the hands of the radicals. And we now come to a period in which was enacted what Burgess calls "the most soul-sickening spectacle that Americans have ever been called upon to behold."*

The negroes had now become a powerful factor in the political life of the South by means of the reconstruction acts which gave them the franchise and disqualified many of the most influential whites, thus making it possible in the States where they outnumbered the whites for the blacks to gain possession of the government and rule in a most reckless, ignorant and extravagant manner. There was also another powerful factor—the "carpet-baggers"—in many ways more powerful than the negro, owing to the vast influence exerted over the latter. These were unprincipled adventurers who flocked to the South after the war, some to engage in business, but the majority to secure political offices from which the native whites

had been excluded and thus when in control of the government to plunder the States to the limit of their ability. Of course not all of these Northerners were rascals, but even the better element of them joined the carpet-baggers and negroes in their political affairs and thus earned the enmity of the native whites.* In addition to these two parties there was also an element of the native Southern population which was hated and despised almost as much as the carpet-baggers. This element was the lower class of whites, who came to be known as "scalawags" and who allied themselves to the carpet-baggers and negroes for the purpose of sharing the offices and the plunder.†

* McCall, in his *Thaddeus Stevens*, p. 299, says: "But instead of being a beneficiary he [the negro] was made the innocent instrument of plunder by as unprincipled a set of political scoundrels and public robbers as ever looted a defenseless treasury. Undoubtedly there were some honest and patriotic men who removed to the South immediately after the war and participated in politics, but they were in a minority, unable materially to restrain and powerless to control." See also Booker T. Washington, *Up From Slavery*, p. 84 *et seq.*

† Fleming, *Documentary History*, vol. ii., pp. 39–58. "The carpet-baggers ran all the way from 'good to middling.' Some went south with fair ability and good morals, where they lost the latter article and never found it; while many more went South to get all they could and keep all they got. The Negro could boast of numerical strength only. The scalawag managed the Negro, the latter did the voting, while the carpet-bagger held the office. And when there were 'more stalls than horses' the negroes and scalawags occasionally got an office."—George W. Williams, *History of the Negro Race in America*, vol. ii., p. 382 (G. P. Putnam's Sons).

* "The grievance most profoundly felt in the reconstruction period was not unwise laws nor waste of public money nor oppressive taxes. It was the consciousness by the master class of political subjection to the servile class. It was the spectacle of rude blacks, yesterday picking cotton or driving mules, sitting in the legislators' seats and executive offices of Richmond and Columbia, holding places of power among the people of Lee and Calhoun."—Merriam, *The Negro and the Nation*, p. 321.

During 1866-67 the blacks had been organized by the carpet-baggers into a secret oath-bound society known as the Union or Loyal League, and thus the negroes were held safely for the radical Republican party. This Union or Loyal League was originally founded in 1862 by the United States Sanitary Commission in the Northern and border States to excite and stimulate sympathy for the Union cause and to "make loyalty effective," but after the war it was gradually extended through the Southern States. Negroes were later admitted to its membership, finally becoming such a powerful factor in its policies that most of the better class of whites withdrew. A constitution and ritual were adopted and in order to impress the negroes there was a weird initiation ceremony. No ex-Confederates were allowed to join unless they acknowledged that the secession was treasonable, and even then they were not allowed to become officers of the League, nor candidates for political office. The negroes swore to vote for no one not a member of the order or only for candidates endorsed by the League. The general headquarters of the order were in New York, with local headquarters in each State; the local assemblies were called Councils.* The carpet-baggers drilled the radical Republican doctrines into the heads of

the blacks, who were also forbidden to listen to or accept the arguments of any one in opposition to their society.

The blacks had also organized other societies beside the Loyal League, these societies being known as the Lincoln Brotherhood in Florida, the Red Strings in North Carolina, the Alcorn Clubs in Mississippi, etc., and proceeded to carry their designs and ambitions into effect.

The whites defiantly protested against the carpet-bag-negro rule; they grew restless under the burdensome taxes, and warned the negroes that as they treated the whites, so they in turn would be treated when power again came into the hands of the whites. Expecting no aid from the Federal government and chafing more and more under the rule of their former slaves who were dominated by unscrupulous adventurers, the whites adopted concerted measures for counteracting the power possessed by the negroes.* Being a superstitious people the blacks were easily terrified by the whites and kept away from the polls, chiefly by means of secret societies or orders whose mysterious officers, solemn ritual and gruesome mode of initiation quickly brought the

* J. C. Lester and D. L. Wilson, *Ku Klux Klan, Its Origin, Growth and Disbandment*; Fleming, *Documentary History*, vol. ii, pp. 7-29.

* "The South does not hold that the negro race was primarily responsible for this travesty of government. Few reasonable men now charge the negroes at large with more than ignorance and an invincible faculty for being worked on. But the consequences were none the less disastrous."—Page, *The Negro—The Southerner's Problem*, p. 47.

blacks into a state of subjection. The most important of these orders was the famous Ku Klux Klan, organized at Pulaski, Tennessee, in the summer of 1866. This society was organized in self-protection against the abuses of power by the State guard and against the insolence and brutality of the negroes. It was originally a local, secret society organized by the young men of that section of the State for amusement purposes only, but the influence of its mysterious initiation and other ceremonies over the negroes was soon discerned and the plan of using this society as a power against them took shape. Its success in Tennessee caused branches to spring up all over the South.*

This order secretly held a convention at Nashville in the summer of 1867 and adopted a constitution. This convention adopted an emphatic and positive declaration of principles in part as follows:

"We recognize our relations to the United States Government: the supremacy of the Constitution; the constitutional laws thereof; and the union of the States thereunder."

The objects of the order were set forth as follows:

"1. To protect the weak, the innocent and the defenseless from the indignities, wrongs, and outrages of the lawless, the violent, and the brutal; to relieve the injured and the oppressed, to succor the suffering and unfortunate and especially the widows and orphans of Confederate soldiers.

"2. To protect and defend the Constitution of the United States, and all laws passed in conformity thereto, and to protect the States and people from all invasion from any source whatever.

"3. To aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure, and from trial except by their peers in conformity to the laws of the land."

The territory over which the Klan held sway was called the "Invisible Empire"; the highest officer was styled the "Grand Wizard" under whom were ten "Genii," and in command of each State which was called a "Realm" was a "Grand Dragon" under whom were eight "Hydras." The Congressional districts were called "Dominions" and were under a "Grand Titan" and his six "Furies"; each county of a State was a "Province" presided over by a "Grand Giant" and his four "Goblins"; and the counties were divided into "Dens" under a "Grand Cyclops" and his two "Nighthawks." There were also a "Grand Monk," a "Grand Exchequer," a "Grand Major," a "Grand Scribe," a "Grand Turk," and a "Grand Sentinel." When in service the members of the Klan wore disguises of all kinds, chiefly white, and their horses were also covered in order to lessen the liability of detection. Their method of operation was to send a warning couched in mysterious but unmistakable language, and if the orders given in these communications were not carried out the offender was likely to be severely dealt with, the most common victims being those, of course,

* Lester and Wilson, *Ku Klux Klan, Its Origin, Growth and Disbandment*; Fleming, *Documentary History*, vol. ii., chap. xii.; W. G. Brown, *The Lower South in American History*, pp. 198-209.

against whom the operations were conducted — the negro politicians, carpet-baggers, scalawags, and Northern teachers of negro schools.*

Beside the Ku Klux Klan there were several other societies of a similar nature: The Knights of the White Camelia, organized at New Orleans, La., in May, 1867; the White League, and the White Brotherhood, which were closely related with the White Camelia and existed a few years after the latter had disintegrated; the Council of Safety; the Pale Faces; the Constitutional Union Guards; the Order of the White Rose, etc.

The White Camelia was organized as follows: a Supreme Council for the United States; a Grand Council in each State; a Central Council in each Congressional district; and Councils in each county, the Councils being

* Avery, in *Dixie After the War*, p. 269, gives examples of warnings, which, under the cross-bones and skull in red ink, contained such inscriptions as:

K. K. K.
The Raven Croaked
and we are come to Look on the Moon
The Lion Tracks the Jackal
the Bear the Wolf
Our Shrouds are Bloody
But the Midnight is Black.

The Serpent and the Scorpion are Ready
Some Shall Weep and Some Shall Pray
Meet at Skull
For Feast of the Wolf and
Dance of the Muffled Skeletons.

The Death Watch is Set
The Last Hour Cometh
The Moon is Full.

Burst your cerements asunder
Meet at the Den of the Glow-Worm
The Guilty Shall Be Punished.

again divided into Circles and Groups. The officers of the Council were commander, lieutenant-commander, sentinel, secretary and treasurer; the officers of the three highest councils being called supreme, grand and eminent. The members were pledged to vote for no blacks for office, nor those favorable to negro supremacy, but otherwise they were politically free; they also swore to uphold the social and political superiority of the whites and to maintain a marked distinction between the races, but at the same time to grant the negroes what privileges were legally due them.*

These orders began operations in or about the year 1868 and according to location or circumstance continued to wield their power until the reconstruction was over. At first they were simply protective associations, but as time wore on their membership gained and with numbers came strength. They then took the offensive, and while the outrages afterward committed in the names of these societies cannot be too severely condemned, still the orders accomplished what they strove for, namely: protection of life and property, the expulsion of the most dangerous negro and white political leaders and the final control by the whites over the Black Belt.†

Seeing that the power of these organizations was so great that they would soon gain control of the State

* Brown, *The Lower South*, pp. 209-215; Fleming, *Documentary History*, vol. ii., pp. 349-354.

† Brown, *The Lower South*, pp. 215-219; Cox, *Three Decades*, pp. 451-475. For counter opinion see Wilson, *Slave Power*, pp. 631-646.

governments, the carpet-bag legislatures began to pass anti-Ku Klux acts, offered large rewards for the detection and conviction of Ku Klux members and in every way attempted to bring discredit on the organization. In Tennessee Governor Brownlow declared martial law in several counties and sent "militia" companies to these places to make arrests, but though detectives, spies, secret agents, and all other means were used to secure evidence, so carefully and successfully were they disguised that not one member of the Ku Klux Klan in Tennessee was ever convicted. Brownlow then convened the legislature to put down the "rebellious elements"; but before legislation took definite shape he was elected to the national Senate. As the cause for the opposition was removed, therefore, the Ku Klux Klan in Tennessee was disbanded in March, 1869. Later the "Brownlow Militia Law" was repealed.*

But fearing the ultimate success of the conservative whites, Congress finally decided upon some drastic legislation in order that the radical State governments might not be overthrown. This legislation took shape first in the enactment May 31, 1870, of the "force law" or "enforcement act" founded on the Fourteenth and Fifteenth Amendments. The purpose of the first act was to enforce the

Fifteenth Amendment, but contrary to the provisions of the Amendment the act was aimed at *persons*, not *States*, and the Federal courts were given jurisdiction over disputes arising from elections.* This act was amended on February 28, 1871, and the elections were placed under Federal deputy marshals.†

On July 4, 1868, the reconstructed government of North Carolina was inaugurated with W. W. Holden as governor. In the State Senate there were 38 Republicans and 12 Democrats and in the House 80 Republicans and 40 Democrats. Of the Republicans 12 were carpet-baggers and 19 were negroes.‡ Hardly had the new government been installed when an era of corruption set in, and though Governor Holden himself may not have been corrupt, still he failed to stop the corrupt practices and even winked at them. Within four months after the carpet-bag legislature had convened an issue of bonds to the extent of \$25,350,000 was authorized, but of these only \$11,707,000 were issued, chiefly for the aid of railroad construction, and the remainder was gambled away or otherwise fraudulently disposed of. Not a mile of railroad was built, however. The debt of the State in 1867 (\$16,000,000) had increased by 1870 to \$30,000,000

* J. W. Fertig, *Secession and Reconstruction of Tennessee*; Brown, *The Lower South*, pp. 206-208. The Tennessee law is given in Lester and Wilson, *Ku Klux Klan*, pp. 89-106; the Alabama law in Fleming, *Documentary History*, vol. ii., pp. 375-376; these are typical laws.

* In 1875 the essential parts of this act were declared unconstitutional by the Supreme Court. See also Burgess, p. 253 *et seq.*

† *Statutes-at-Large*, vol. xvi., p. 433.

‡ These figures slightly differ in *Appleton's Annual Cyclopaedia* for 1869, p. 493 and in the article by Vance in *Why the Solid South*, p. 78.

in spite of the fact that the assessed property valuation was only \$130,000,-000 and that the value of the lands had fallen 50 per cent. in the decade from 1860 to 1870. The increase in taxation was fourfold.*

The Ku Klux in North Carolina had practically died out by 1870 but Governor Holden, in order to retain his hold on the State and make political capital for the next election to be held in August, 1870, on March 7 declared Alamance county, and on July 8 Caswell county, in a state of insurrection because of alleged Ku Klux outrages. Holden proceeded to raise a force of State troops under the Shaffner act. These troops, 350 strong, who in violation of the law were chiefly from the mountains of East Tennessee, began to terrorize the entire section, and about a hundred citizens, the majority of whom were in good standing, were arrested and thrown into jail. The State supreme court refused relief and a judge of the United States district court issued a writ of *habeas corpus* requiring the commander of the sol-

diers to produce the prisoners in court.

Holden had in the meantime secured permission from President Grant to use the Federal troops already in the State and an additional regiment was sent. But the troops were of little avail, as the judge's action had made it possible to call upon these Federal troops to execute the order of the Federal court. As Holden wished to detain the prisoners he appealed to Grant, but the latter, through Attorney-General Akerman, upheld the action of the judge. Therefore when the prisoners were brought into court on August 23, the judge discharged them from "unlawful custody."*

Meanwhile the election took place (August 4) and Holden's actions, instead of helping his cause, reacted on him and his party in startling fashion.† The Democrats, stirred to extra efforts carried the State by 4,000 majority and elected five of the seven Congressmen, 32 of the 50 members of the State Senate and 75 of the 120 members of the House. Holden was then impeached, was found guilty March 22, 1871, and removed from office.‡

Upon some rather meagre and unreliable information President Grant sent a message to Congress March 23, 1871, in which he stated "that life and

* J. G. de R. Hamilton, *Reconstruction in North Carolina*. Myrta L. Avary, in *Dixie After the War*, p. 307, says: "In North Carolina, \$420,000 in railroad stock belonging to the Educational Fund for the Benefit of Poor Children were sold for \$158,000 to be applied in part payment of extended per diems of legislators. These legislators gave at the State expense lavish entertainments, and kept a bar and house of prostitution in the Capitol; took trips to New York and gambled away State funds by thousands. * * * There was money enough for the governor to raise and equip two regiments, one of negroes, for intimidation of whites, but none for education." For the disposition of this fraudulent debt see Scott, *Repudiation of State Debts*, pp. 67-68.

* *Appleton's Annual Cyclopaedia*, 1870, pp. 549-553.

† Robert Somers, *The Southern States Since the War*, p. 35.

‡ *Appleton's Annual Cyclopaedia*, 1870, p. 553; Cox, *Three Decades*, pp. 455-463, 495-500.

property were insecure in some of the 'States,' and the carrying of the mails and the collection of the revenue dangerous."* As the States did not possess power to correct these evils, and as it was also doubtful if the President had authority, Grant asked for legislation giving him power to adequately handle the situation. In answer to the appeal Congress on April 20, 1871, passed another enforcement act—the so called Ku Klux Act—which extended the powers and jurisdiction of the United States courts, and, declaring that a state of war existed in the South, empowered the President to suspend the writ of *habeas corpus* and to use the army and navy to enforce the laws. The Federal judges were also empowered to exclude from juries all persons supposed to be in sympathy with the Ku Klux movement. There was much opposition to the passage of this act because it was thought by many to be unconstitutional, but despite the arguments of such powerful constitutional lawyers as Trumbull and Thurman it was enacted into law.† In 1882, however, the opinions of the opponents of the act were up-

held by the Supreme Court of the United States, when Justice Woods in delivering the opinion said that the Court "had been unable to find any constitutional authority for its enactment."*

Before Congress passed the Ku Klux Act, the President (March 24, 1871) by proclamation called attention to the turbulent state of affairs in South Carolina. A few days after the passage of the Ku Klux Act the President threatened to use the authority vested in him by that act to suppress the lawlessness. On October 12, 1871, he issued a proclamation declaring that combinations and conspiracies were obstructing the execution of the laws in nine counties and calling upon those persons concerned in these combinations to disperse. Five days passed and as the "insurgents" had not dispersed the President declared that they were in "rebellion" against the United States. He therefore suspended the use of the writ of *habeas corpus* in those counties.‡ Many persons were arrested and some were convicted and punished, but the fact that the Ku Klux operations practically ceased soon afterward may probably be attributed more to the moral effect of Grant's prompt use of his power than to the number of arrests and convictions.‡

* Richardson, *Messages and Papers*, vol. vii., p. 127; Boutwell, *Reminiscences*, vol. ii., p. 252.

† Burgess, *Reconstruction*, p. 258, says the first part of this act "was unquestionably an unconstitutional encroachment upon the powers of the 'States' in so far as it related to the protection of political rights against infraction or against conspiracy for the purpose of infraction, by private persons. The second part was probably within the powers of Congress, but it was a most extreme use of its powers." See *Statutes-at-Large*, vol. xvii., p. 13.

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* Dunning, *Atlantic Monthly*, p. 442 (October 1901). The case was *United States vs. Harris*, 106 U. S. 629; Rhodes, vol. vi., p. 316, footnote.

‡ For the various proclamations see Richardson, *Messages and Papers*, vol. vii., pp. 132-141.

‡ Rhodes, vol. vi., p. 319, footnote.

On April 7, 1871, Congress had appointed a joint committee of the two Houses (seven Senators and fourteen Representatives) "to inquire into the condition of affairs in the late insurrectionary States." The reports of this committee were rendered to Congress February 19, 1872.* The majority report, submitted by Senator John Scott, of Pennsylvania, and signed by four Senators and eight Representatives, all Republicans, was a sharp indictment of the Ku Klux, charging the Klan with all manner of outrages—murder, arson, intimidation, whippings, destruction of property, etc.—and with being "a political organization whose purpose is to put the Democratic party up and the radical party down." The majority admitted corruption and venality among the governments established by the Republicans, but said this was the fault of "a large portion of the wealthy and educated men" who neglected "their duties as citizens."

Representative J. B. Beck, of Kentucky, submitted the minority report, which was signed by the eight Democratic members of the Committee. In determining the States to be covered by the report, the Republicans of the Committee by a party vote decided that Virginia, Tennessee, Arkansas, Texas and Louisiana should not be included. The Democrats in making their report, claimed that this was an admission by the Republicans "that there are no disorders, no outrages,

on the part of the people" in those States. With regard to Mississippi, Alabama, Florida, Georgia, and North and South Carolina, the Democrats claimed that there never was a disguised band in more than 40 out of the 420 counties in these States, and while they did not attempt to deny that crimes had been perpetrated or to excuse them, they did deny that there was any *general* organization for the purpose charged. They further said that "no people had ever been so mercilessly robbed and plundered, so wantonly and causelessly humiliated and degraded, so recklessly exposed to the rapacity and lust of the ignorant of their own community and of the other States," as the Southern people. They said that in Texas, Arkansas and South Carolina "the emancipated slave regiments parade in State or Federal uniform, armed cap-a-pie, with the most approved weapons * * * while the white men are denied the right to bear arms or to organize, even as militia, for the protection of their homes, their property, or the persons of their wives and their children." They also claimed that the conduct of the wrong-doers was not endorsed "by any respectable number of the white people in any State."

This minority report, while flavored with partisanship, is very near to the truth, as the Democrats could well afford to state plain, uncolored facts without attempting to offer excuses for violence. On the other hand the Republicans were thrown on the

* House Report No. 22, 42d Congress, 2d session.

defensive altogether, for having established these governments and supervised them while the party controlled Congress, they had no plausible excuses to offer for the rottenness and corruption that existed. The Republican policy of universal negro suffrage had resulted disastrously and most shamefully and the Republicans knew it; in their report, therefore, they laid great emphasis on the most inconsequential disorders, juggled facts to suit the necessity and wherever possible suppressed every bit of evidence damaging to their cause.

For some time Congress had been removing the disabilities imposed upon Southerners by the Fourteenth Amendment, but up to this time these removals had been chiefly in the interest of the Republican party. But the elections of 1870 had gone against the Republicans and they had lost the two-thirds majority in the House which they had had for a number of years. Consequently they became more liberal and less discriminating regarding the amnesty extended, now excluding from the privileges of amnesty only the "principal authors of the rebellion, the chief criminals."* President Grant, in his message of December 4, 1871, recommended that Congress be more lenient and in this month the Senate began its discussion of a bill providing "almost universal amnesty" which had passed the House at the previous session.†

Charles Sumner prevented the speedy passage of the House bill by insisting that his supplementary Civil Rights bill be adopted as an amendment. Pierce summarizes this bill as "a measure securing equality of civil rights to the colored people and prohibiting discrimination against them by common carriers of passengers, by proprietors of theatres and inns, managers of schools, of cemeteries, and of churches or as to service as jurors in any courts, State or National."** Though several of his colleagues urged him to withdraw his bill Sumner insisted upon coupling it with the Amnesty bill, even at the risk of defeating them both. Sumner's bill required only a majority to pass it, while the Amnesty bill required a two-thirds vote, but Sumner thought that the Democrats would vote for his measure for the sake of securing the amnesty. But he was wrong, for the vote on his amendment was a tie, Vice-President Colfax casting the vote necessary to its adoption, while the twin measure failed by a vote of 33 to 19.† No further action was taken until May 8-9, 1872, when another amnesty bill, passed by the House, was taken up in the Senate. Again Sumner coupled his Civil Rights bill to the House bill and again the measure failed to secure the required vote. But the House once more passed an

* *Sumner*, vol. iv., p. 499 *et seq.*

† *Sumner's Works*, vol. xiv.; Foulke's *Morton*, vol. ii.; Storey, *Sumner*, pp. 402-405.

* Blaine, vol. ii., p. 512.

† April 10, 1871. See Blaine, vol. ii., p. 512.

amnesty bill which had been reported May 13 from the House Committee on the Judiciary by Benjamin F. Butler. On May 21 the Senate took the bill under consideration and on the 22d, after voting down Sumner's Civil Rights bill and several other amendments, passed the bill by a vote of 38 to 2. Sumner was one of the two who voted against the bill because "the time has not come for amnesty," further saying "You must be just to the colored race before you are generous to former rebels."*

This bill removed the political disabilities imposed by the third section of the Fourteenth Amendment from all persons excepting members of the Thirty-sixth and Thirty-seventh Congresses, and heads of departments, members of diplomatic corps, and officers of the army and navy who had engaged in the secession. The act relieved of political disabilities not less, it was estimated, than 150,000 persons of capacity and experience in public life, and left between 300 and 500 persons under the cloud of disfranchisement. The passage of the act caused the dismissal of a large number of cases by the courts. This also allowed the swearing in of some of the members of Congress from the Southern States who had not been seated because of their disabilities. Practically, for the first time since the opening of

the war, every seat in Congress was now filled and the representation of every State in the Union was complete.

The result of the radical Republican doctrines concerning the reconstruction is plainly seen in the political complexion of the membership of the House of the Forty-second Congress, which sat from March 4, 1871 to March 4, 1873. The Republicans had had a large majority in the previous Congress, but now they could only muster a majority of 35 and on questions concerning the South could not even secure a strictly party vote. This change is apparent in the vote on measures introduced in the House. By the provisions of the Ku Klux Act of April 20, 1871, the President was given authority to suspend the privileges of the writ of *habeas corpus*, but this authorization expired with the present session of Congress. An attempt was then made by the Republicans to extend this provision to March 4, 1873. A bill for that purpose passed the Senate, but in the House the two attempts to pass it were met with adverse votes of 108 to 94 and 89 to 56, on May 28 and June 7, 1872, respectively.*

At this session also Congress passed an amendment (approved June 10, 1872) to the Federal Election Act of February 28, 1871, greatly "broadening the scope of Federal interference at elections, but on the other hand ex-

* Pierce's *Sumner*, vol. iv., p. 502 *et seq.*; *Globe*, p. 3736; Sumner's *Works*, vol. xiv., p. 466; Blaine, vol. ii., pp. 511-516; *Statutes-at-Large*, vol. xvii., p. 142.

* *Globe*, pp. 3931, 4323, 42d Congress, 2d session.

acting the qualification of residence from supervisors and deputy marshals." With the exception of the Civil Rights Act of 1875 this was the last act in the positive work of Congress in connection with the recon-

struction. Much of this work was subsequently undone by Congress and the Supreme Court.*

* Rhodes, vol. vi., pp. 331-334, gives a complete list of the sections of the various laws which were abrogated by subsequent acts of Congress or which still stand.

CHAPTER VIII.

1870-1876.

INTERNAL AFFAIRS: ELECTIONS: PANIC: CENTENNIAL.

Grant's popularity on the wane—Resignations of Cabinet officials—Civil Service reform—Customs House frauds—Crédit Mobilier—Tweed ring—Elections of 1872—Grant re-elected for second term—"Salary Grab"—Chicago and Boston fires—Morrison Remick Waite appointed Chief Justice of the Supreme Court—Tariff measures—"Crime of 1873"—Panic of 1873—Industrial depression—Currency legislation—Treasury frauds—Bill for resumption of specie payments passed—Coinage Law of 1876—Civil Rights Bill—Uprising of Modoc Indians—Sioux Indians take warpath—Custer's last fight—Centennial Exposition—Colorado admitted.

Grant's popularity had been on the wane ever since he assumed the presidency, and while the Treaty of Washington and the Geneva arbitration served to brighten his fame, still these achievements were overshadowed by his gravitation "to men of vulgar tastes and low aspirations," his poor judgment of men, his association with Gould and Fisk, his unwarranted obstinacy and peculiar interest in the San Domingo business, his poor selections for diplomatic posts, his acceptance of gifts from questionable sources, and his numerous appointments of friends and relatives to lucrative positions.*

After his failure to force the San Domingo treaty through Congress, Grant was very bitter toward Sumner, who later, as we have already seen, was forced from the chairmanship of the Committee on Foreign Relations. In his fight against Sumner Grant availed himself of the aid of the Southern Senators, who, in payment for their aid, demanded that the South be given representation in the Cabinet. As has been previously said Attorney-General Hoar, at the time of the San Domingo affair, resigned, but Grant refused to accept the resignation and Hoar remained in the Cabinet. But

* McCulloch, *Men and Measures*, pp. 355-358; Woodrow Wilson, *Division and Reunion*, pp. 277-278. See also Schurz, *Reminiscences*, vol. iii., pp.

302-310, 331-337; Garland, *U. S. Grant*, pp. 392 et seq., 411-413; Badeau, *Grant in Peace*, p. 157; and Sumner's speech of May 30, 1872, quoted in Pierce, vol. iv.

now Grant entirely changed his attitude toward Hoar and without explanation curtly demanded Hoar's resignation (June 15, 1870). Hoar at once complied and Grant appointed Amos T. Akerman, of Georgia, to the vacancy.* General Cox, Secretary of the Interior, next felt the weight of Grant's displeasure. Cox had been active in promoting civil service reforms, and in introducing competitive examinations into the Census Bureau, the Patent Office and the Indian Service, and had also opposed some claims to mining lands in California. He thereby offended the politicians who induced Grant to withhold his approval to these measures. Cox thereupon resigned (October 3, 1870), and was succeeded by Columbus Delano, of Ohio.

But Cox's resignation was of some benefit, for it opened the nation's eyes to the necessity for civil service reform. Grant evidently had foresight enough to anticipate the rising storm, for in his message of December 5, 1870,† he recommended that the civil service be reformed.

A provision was therefore incorporated in an act appropriating money for sundry civil expenses, which was approved March 3, 1871, authorizing the President to appoint a commission

to look into the matter and frame a set of rules. The President appointed a commission consisting of George William Curtis, Alexander C. Cattell, Joseph H. Blackburn, Joseph Medill, Davidson A. Walker, E. B. Ellicott and David C. Cox. In December of that year, the commission reported to the President a series of rules (including competitive examinations for appointive offices, with probation for the successful applicants, and also promotion for deserving officials) which he submitted to Congress December 19, 1871, with the announcement that he would put these rules into effect January 1.* But they were not put into practical operation because Congress refused to give the commission sufficient funds.‡ The civil service had been at the disposal of Congress, each Congressman having charge of the appointments in his own district. Of course this led to much abuse, and as the reforms would do away with the patronage, Congress was only too willing to put off the day of reckoning.‡

* Richardson, *Messages and Papers*, vol. vii., pp. 156-159.

† Church's *Grant*, pp. 372-375.

‡ "The management of the civil service was an utter mockery of political decency, while the animosities engendered were nursed and coddled as the appointed means of uniting the party and covering up its misdeeds. The demand for reform, as often as made, was instantly rebuked and the men who uttered it branded as enemies of the party and sympathizers with treason. * * * Such was the drift of general demoralization that the chief founders and pre-eminent representatives of the party, Chase, Seward, Sumner and Greeley, were obliged to desert it * * * as the only means of maintaining their honor and self-respect." — Julian, *Political Recollections*, p. 331 *et seq.*

* See J. D. Cox, *How Judge Hoar Ceased to be Attorney-General*, *Atlantic Monthly*, vol. lxxvi. (August, 1895); Boutwell's *Reminiscences*, vol. ii., pp. 203-211; Adams, *Treaty of Washington*, p. 142 *et seq.*

† Richardson, *Messages and Papers*, vol. vii., p. 109.

In 1872 Congress had investigated the frauds in the custom houses at New York and New Orleans,* but at the last session of the Forty-second Congress, revelations were made that startled the country. One of the most tremendous schemes of corruption that the country had ever witnessed was uncovered. This was in connection with the *Crédit Mobilier*.

In a previous chapter it has been stated that the government chartered a "Union Pacific Railroad."† Beside the capital stock granted to the road (\$100,000,000), an offer was also made to assist it with a loan of \$16,000 to \$48,000 a mile as the needs might demand (a total of about \$60,000,000). Beside this, the government granted the company enormous tracts of public lands for right of way, terminals, etc. Subscriptions to the capital stock came in slowly as the project did not appeal to many as a paying investment. To make the stock more attractive the railroad was authorized to issue its own bonds dollar for dollar with the government's (and even to issue these bonds in advance of construction to an amount equal to the cost of 100 miles of road). The railroad bonds were first mortgage and the government bonds second mortgage; therefore the government incurred all the risk should the railroad fail. The moving spirit in

these transactions was Oakes Ames, a member of Congress, and several officers of the railroad company were associated with him. Knowing that the cost of constructing the road would not be more than half the sum the government had loaned and given to the company in the land grant Ames and his associates determined to pocket the difference.

The ring dominated by Ames formed the stockholders of the railroad company into a construction company, to which the railroad company would pay its bonds and stocks for work done and supplies furnished. The associates then bought an old Philadelphia corporation and named it the "*Crédit Mobilier of America*," giving the Union Pacific stockholders the same amount of stock in this company as they had in the railroad company.

It is not definitely known how much the profits of this company amounted to, and the estimates vary from \$8,000,000 to \$15,000,000. Whatever the profits may have been, the stock rose from much below par to an enormous premium and this created no little suspicion as to the honesty of the transactions. Soon the stockholders began to dispute among themselves over the division of spoils and several suits were instituted.

Ames had, in the meantime (during 1867 and the first part of 1868), in order to obtain special legislation for the company, sold *at par* 343 shares of the stock, then much above par, to

* See reports of investigating committee, June, 1872. *Senate Report* No. 227, 42d Congress, 2d session.

† By the statutes of July 1, 1862. and July 2, 1864.

Congressmen and other government officials, placing these shares, as he expressed it, "where they will do the most good to us."

But one of those who had instituted suits, McComb, made such outrageous demands that Ames, in order to quiet him, revealed the names of the officials to whom the stock had been sold at par. In the presidential campaign of 1872 McComb published these names in the *New York Sun*. The list as published included the names of Vice-President Colfax, the Vice-President-elect (Wilson), the Speaker of the House (Blaine), the Secretary of the Treasury, two Senators, two ex-Senators, six members of the House, one ex-Representative and one no longer living, and many others.

Therefore, in December, 1872, when the last session of the Forty-second Congress began, the Speaker demanded that two committees be appointed—one to investigate the bribery and one to investigate the affairs of the railroad. The first committee, of which Luke P. Poland, of Vermont, was chairman, was composed of Banks, of Massachusetts, McCrary, of Iowa, Niblack, of Indiana, and Merrick, of Maryland. The members of the second committee were Swan, Shellabarger, Wilson, Hoar, and Slocum. The two committees took a large amount of testimony and the one investigating the bribery reported on February 18, 1873, that while Blaine, Conkling, Bontwell, Bayard, Garfield and many others had been offered the

stock, they had refused to accept it; that many had accepted and then returned it; but that a number had retained it. The committee recommended that Ames and James Brooks, a member of the House and a government director of the railroad be expelled from Congress, but the House only censured them (February 27, 1873). The Senate committee in February recommended that Senator Patterson, of New Hampshire, be expelled, but as his term expired March 4, no action was taken upon it.*

The desire for honest administration was not only manifested in connection with national affairs but local governments also felt the impetus of the reform movement, and the need for reformation applied not only to members of the Republican party but also to members of the Democratic party.

An enormous fraud had been perpetrated in New York City during 1870 and 1871 by the "Tweed ring." William M. Tweed had been deputy street commissioner in that city for several years, State senator from 1867 to 1871

* Rowland Hazard, *The Crédit Mobilier of America: The Crédit Mobilier*, in *Scribner's Magazine* (March, 1874); J. B. Crawford, *The Crédit Mobilier of America, Its Origin and History*; *House Reports* Nos. 77 and 78, 42d Congress, 3d session; Rhodes, vol. vii., pp. 1-20; *Appleton's Annual Cyclopædia*, 1873, pp. 138-139, 213-237, 671-680; Andrews, *Last Quarter-Century*, vol. i., pp. 95-109; Hollister's *Colfax*, pp. 392-441; R. H. Conwell, *Life, Speeches and Public Services of James A. Garfield*, pp. 248-305; G. F. Hoar's *Autobiography*, vol. i., pp. 314-324; Paine's *Life of Nast*; T. C. Crawford, *James G. Blaine: A Study of His Life and Career*, pp. 244-256; Gail Hamilton, *James G. Blaine*, pp. 276-288; Edward Stanwood, *James G. Blaine*, pp. 123-127.

and later a member of Congress. The "ring" which he controlled included A. Oakey Hall, the mayor, Peter B. Sweeny, city and county treasurer, and Richard B. Connolly, the controller, and others, and they had succeeded in securing a powerful grip on all departments of the city government. By the liberal use of money Tweed bribed the State legislature to grant New York a new charter which would give the ring more power. In 1870 he became commissioner of public works and proceeded to systematically loot the treasury, apparently missing no opportunity or device by which he could put money into his own pockets and those of his friends. He gave his friends high-salaried positions, created other lucrative offices for his favorites, audited bills for millions that should have been thousands, raised vouchers and paid enormous sums for goods that were never delivered, in all these transactions dividing the profits with his fellow thieves. The ring actually expended \$3,000,000 on the county courthouse, but the city books were altered so as to show an expenditure of \$11,000,000. Even then the work on the building was not complete. On this job alone one plasterer was shown to have "earned" \$2,870,446.06 in nine months, his bill for the two shortest days in the year (December 20-21) being \$133,187. Warrants for \$350,000 in payment for carpets for the building were issued when \$13,000 would have been sufficient. Rent of armories for the State militia cost the

city \$190,600 when the actual rent paid was \$46,600; and including repairs the armories were represented to have cost the city \$3,200,000 when the actual cost was \$250,000. These were only a few of the many ways by which the treasury was robbed. Estimates vary as to the total amount stolen, ranging from \$45,000,000 to \$200,000,000.

The *New York Times* and the cartoons of Thomas Nast in *Harper's Weekly*, in conjunction with the work of Samuel J. Tilden, were the most potent forces in overthrowing the ring. Mr. Jones, proprietor of the *Times*, was offered \$5,000,000, and Nast the cartoonist for *Harper's Weekly* \$500,000 to suppress the damaging evidence that had been given them and to discontinue the editorials and cartoons. They refused, however, to accept the bribes, but probed as deeply as possible and exposed the plundering. As a result the ring was defeated in the elections of November, 1871. Sweeny and Connolly fled to Europe but Tweed and others were arrested. At the second trial of Tweed in 1873 (the first jury having disagreed) he was sentenced to imprisonment for twelve years and to pay the paltry fine of \$12,550, but in 1875 the sentence was reversed and he was released. Civil suits were then brought against him and he was arrested, and being unable to furnish bail went to jail. But he escaped and fled to Cuba; was recaptured there but a second time escaped and made his way to

Spain. There he was again arrested, brought to this country and committed to Ludlow Street Jail, where, all his money and friends gone, he died April 12, 1878.*

In 1872 during these painful and disgraceful disclosures the political parties held their conventions and the candidates did not even attempt to explain the reasons for the corruption nor try to deny the responsibility of those at fault.

The Labor Reform party nominated Judge David Davis, of Illinois, an Associate Justice of the Supreme Court, and Governor Joel Parker, of New Jersey, for Vice-President. Both declined. The 'Prohibition party, meeting at Columbus, Ohio, February 22, nominated James Black, of Pennsylvania, for President and John Russell, of Michigan, for Vice-President. The colored national convention assembled in New Orleans April 15 and resolved to support the nominees of the Philadelphia convention — the Republican. A movement, begun in Missouri in 1870 for a union of Democrats and so-called "Liberal Republicans," culminated in the spring and summer of 1872 in the fusion of these two political elements. A convention of Liberal Republicans assembled at

Cincinnati, May, 1872, and nominated Horace Greeley, founder and editor of the *New York Tribune*, for President, and Governor Benjamin Gratz Brown, of Missouri, for Vice-President. The regular Republican convention assembled at Philadelphia June 5, and nominated President Grant for re-election, with Senator Henry Wilson, of Massachusetts, for Vice-President. The Democratic convention assembled at Baltimore July 9, and adopted the nominees of the "Liberals," namely: Horace Greeley for President, and B. Gratz Brown for Vice-President. Of the 732 votes cast in the convention, Mr. Greeley received 686. The "Straight Out" Democrats bolted these nominations and at their convention in Louisville, nominated Charles O'Connor, of New York, for President, and John Quincy Adams, of Massachusetts, for Vice-President, but both declined.

The Democratic and Liberal Republican platforms were the same and included several pledges and demands. In paragraph 2 they pledged themselves "to maintain the Union of these States, emancipation, and enfranchisement, and to oppose any reopening of the questions settled by the Thirteenth, Fourteenth, and Fifteenth amendments to the Constitution," and in paragraph 3 demanded "the immediate and absolute removal of all disabilities imposed on account of the rebellion, which was finally subdued seven years ago." They also demanded self-government for the State,

* Rhodes, vol. vi., pp. 392-411; John Bigelow, *Life of Samuel J. Tilden*, vol. i., p. 182 *et seq.*, and the same author's *Writings and Speeches of Samuel J. Tilden*, vol. i., pp. 468-473, 491-602; Paine, *Life of Thomas Nast*; Andrews, *Last Quarter-Century*, vol. i., pp. 11-16; Clews, *Twenty-Eight Years in Wall Street*, pp. 327-335; and the files of the *Times*, *World*, *Tribune* and *The Nation*.

civil service reform, a system of Federal taxation for revenue and a speedy return to specie payment.

The Republican platform, after stating that the party had "suppressed a gigantic rebellion, emancipated four millions of slaves, decreed the equal citizenship of all and established universal suffrage," declared that the "recent amendments to the National Constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can be safely entrusted only to the party that secured those amendments." The party further declared for civil service reform; opposed "further grant of public lands to corporations and monopolies"; approved "the action of Congress in extending amnesty to those lately in rebellion," and disapproved "the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or National Government."

Grant and Wilson were elected, the majority of the former being much greater than his majority in 1868. The Republicans also regained their two-thirds majority in Congress. On November 29, Mr. Greeley died from overwork, disappointment, and grief over the loss of his wife.*

The various scandals before mentioned did not seem to deter Congress in its extravagant course nor give warning that exceedingly great care must be exercised in legislative enactments, for on March 3, 1873, a bill was passed to fix the pay of certain officers of the government and members of Congress. The salary of the President was raised from \$25,000 to \$50,000 a year; and the salaries of other officials were raised to the following amounts: Vice-President, \$10,000; chief justice of the Supreme Court, \$10,500; associate justices, \$10,000; Cabinet members, \$10,000; Speaker of the House of Representatives, \$10,000; and Senators and Representatives, \$7,500 each per annum, and no allowance made for expenses of travel. The raise of itself may have been proper for the future* but the act was retroactive and applied to the Congress which passed the bill. The members thus voted themselves \$5,000 apiece for work done during the two years preceding the passage of the act. This increase was popu-

Make Them, pp. 221-243; Andrews, *Last Quarter-Century*, vol. i., pp. 58-78; *Appleton's Annual Cyclopaedia*, 1872, pp. 773-784; Blaine, vol. ii., pp. 516-536; Rhodes, vol. vi., pp. 412-424; Garland, *U. S. Grant*, pp. 410-423; Adams, *Charles Francis Adams*, pp. 389-392; Schurz, *Reminiscences*, vol. iii., pp. 338-353; Julian, *Political Recollections*, pp. 337-350; Hollister's *Colfax*, pp. 365-381; Pierce's *Sumner*, vol. iv., pp. 514-531; F. N. Zabriskie, *Horace Greeley*, pp. 271-277, 288-298; and for Greeley's campaign speeches see his *Recollections of a Busy Life*, app. pp. xli.-lxxi.

* There is no question but that the President's salary and the salaries of the Cabinet officials were insufficient for the expenses of entertaining and maintaining the dignity of their offices.

* Stanwood, *History of Presidential Elections*, pp. 276-301, and *History of the Presidency*, pp. 333-355; McClure, *Our Presidents and How We*

larly known as the "salary grab" and the "back-pay steal."^{*}

"The immediate result was an overwhelming explosion of wrath in the press and through every other medium for the expression of popular feeling. The 'salary grab' and the 'back-pay steal' became a theme of denunciation in every hamlet in the land quite without distinction of party. In vain did the luckless legislators explain that an increase of their wages was justified by many considerations and that the retroactive provision had precedents in every similar act throughout our history. Nothing availed to stem the torrent of adverse feeling. Most of the members who looked for future favor from their constituents refused to retain their share of back-pay * * *."† The bill was especially condemned in the light of the fraud and corruption prevalent among government officials. The indignation was so great that, during the first session of the Forty-third Congress, which convened in December, 1873, the law was repealed, with the exception of that portion relating to the President and Supreme Court justices.‡

* McPherson, *Handbook of Politics*, 1874, pp. 3-20; Stauwood's *Blaine*, pp. 126-128.

† Dunning, *Reconstruction*, p. 234. Boutwell, in his *Reminiscences*, pp. 11-12, says that "outside of the criminal classes there has but seldom been a more melancholy exhibition of the weakness of human nature." Garfield's defence of the bill is given in Conwell's *Life of Garfield*, pp. 305-317.

‡ The repealing bill passed the House January 13, 1874, and the Senate January 12 and was approved January 20. McPherson's *Handbook of Politics*, 1874, pp. 20-33.

In the meantime the country had witnessed two appalling disasters. On October 8, 1871, one of the most destructive fires of modern times broke out in Chicago and raged for two days, spreading over an area of three square miles, destroying over 17,000 buildings, and inflicting a loss estimated at about \$200,000,000.* The city soon recovered from the blow and subsequently developed into the metropolis of the West.

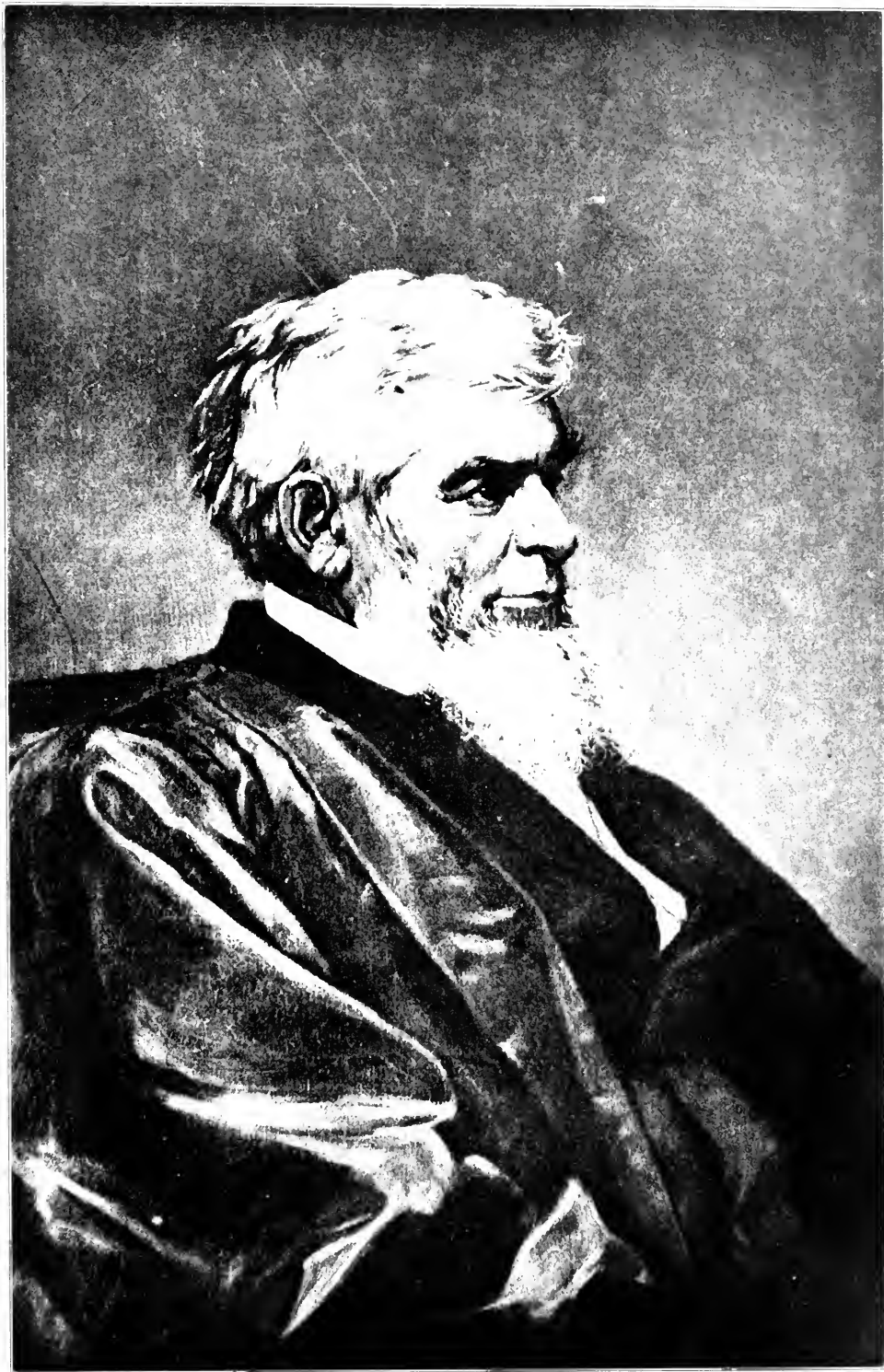
On November 9, 1872, a disastrous fire occurred in Boston. Nearly 800 buildings in the centre of the city were destroyed, covering an area of 65 acres, and inflicting damage to the extent of nearly \$75,000,000.†

President Grant's second term began March 4, 1873, when the oath of office was administered to him and Vice-President Wilson by Chief-Justice Chase. His Cabinet appointments were immediately confirmed by the Senate.‡

* *Appleton's Annual Cyclopædia*, 1871, pp. 393-401; Colbert and Chamberlain, *Chicago and the Great Conflagration*; Andrews, *Last Quarter-Century*, vol. i., pp. 5-9.

† *Appleton's Annual Cyclopædia*, 1872.

‡ The following gentlemen composed President Grant's Cabinet at the beginning of his second term: Hamilton Fish, Secretary of State; William W. Belknap, Secretary of War; William A. Richardson, Secretary of the Treasury; George M. Robeson, Secretary of the Navy; Columbus Delano, Secretary of the Interior; John A. J. Creswell, Postmaster-General; and George H. Williams, Attorney-General. In June, 1874, Secretary Richardson resigned and his place was filled by Benjamin H. Bristow, of Kentucky. Later in the same month, Postmaster-General Creswell resigned, and Marshall Jewell, of Connecticut, was appointed to that office.



MORRISON REMICK WAITE.
Chief Justice of the Supreme Court.

The administration of the oath of office by Chief-Justice Chase was one of the last public acts of that distinguished jurist. His health had been impaired by a paralytic stroke and on May 7 he died, two months after the inauguration ceremonies. The President then began to seek a suitable successor. On November 8, 1873, he offered the vacancy to his most intimate political friend, Roscoe Conkling,* of New York, but Conkling declined. Grant then nominated Attorney-General George H. Williams, of Oregon, but the Bar Association of New York City characterized him as "wanting in those qualifications of intellect, experience and reputation which are indispensable to uphold the dignity of the highest national court." The Senate was also unfavorable to Williams and on January 8, 1874, the President withdrew his name. The President's next nomination, Caleb Cushing, who had been one of the counsel at the Geneva Arbitration, met the same fate at the hands of the Senate on January 13, 1874, the chief reason being that a letter written to Jefferson Davis in March, 1861, had been unearthed, wherein Cushing called Davis "dear friend."† On January 19 the President succeeded in sending a nomination that was acceptable to the Senate. This was Mor-

rison Remick Waite, of Ohio, and two days later he was confirmed.

At the beginning of President Grant's second term the business outlook was most promising. Exports were increasing, manufacturing establishments were busy, railroad construction was being carried on at an enormous (and unwarranted) rate,* earnings were increasing, there was a constant demand for labor, prices of commodities were high and crops were abundant.

A revised tariff bill had been passed by Congress in 1872. The need of reforming the tariff had become apparent as there was a surplus of \$100,000,000 in the treasury, and the House of Representatives elected in 1870 was composed of those who were disposed to do it thoroughly. Accordingly a bill to this effect was introduced in the House and passed by that body May 20, 1872, and by the Senate May 31. There were some differences in the schedules, however, and the bill went to a conference committee, but the differences were soon adjusted and

* A. R. Conkling, *Life and Letters of Roscoe Conkling*, p. 460 et seq.

† Pierce's *Sumner*, vol. iv., p. 585 et seq. See also Richardson, *Messages and Papers*, vol. vi., p. 259.

* "By the close of 1872 it had dawned upon investors that the railway extension was being overdone. Lowering prices threatened a check upon agriculture and diminished the prospect of freight receipts. The high cost of construction and operation, at prices and wages then prevailing, combined with unsettled conditions in Europe to check the flow of capital westward. Funds could not be obtained for the fulfilment of contracts, and construction was brought to an abrupt stop."—M. S. Wildman, *Money Inflation in the United States*, p. 143 (G. P. Putnam's Sons). See also Henry M. Hyndman, *Commercial Crises of the Nineteenth Century*, p. 107 et seq. (Charles Scribner's Sons).

the bill was approved June 6.* An act was also passed and approved on May 1 placing coffee and tea on the free list.† The tariff act as finally passed lowered the duties on leather, india rubber, tin, and soda ash; the tariff on iron, steel and other materials except cotton machinery or manufactures of cotton, wool, hair goods and india rubber, was reduced about 10 per cent., and a reduction was also made on manufactures of paper, glass and leather. The duty on salt in bulk was reduced from 18 cents to 8 cents per 100 lbs. and on salt in sacks and barrels from 24 cents to 12 cents; and the duty on bituminous coal was reduced from \$1.25 to 75 cents per ton. The free list included materials to be used in building ships to be engaged in the foreign trade and not in the coasting trade for more than two months per year; hides, jute-butts and paper stock; the professional libraries of men coming from foreign countries and books which had been in use for one year previous to arrival; "books, maps and charts specially imported not more than two copies in any one invoice" for the use of scientific or literary societies or colleges; and books that

had been printed "more than twenty years at the date of importation."*

Meanwhile a bill which had been introduced in the House in 1870, had become a law February 12, 1873, after a long tortuous course through both Houses.‡ This was the coinage act generally accepted as demonetizing the silver dollar§ and popularly known as the "crime of '73."|| This act provided in section 15 "that the silver coins of the United States shall be a trade dollar; a half-dollar, or fifty-cent piece; a quarter-dollar, or twenty-five cent piece; a dime, or ten-cent piece; and the weight of the trade dollar shall be four hundred and twenty

* Stanwood, *Tariff Controversies*, vol. ii., pp. 177-184; Taussig, *Tariff History*, pp. 180-190; Dewey, *Financial History*, pp. 397-398. In 1875 Congress repealed the horizontal reduction of 10 per cent. and "put duties back to where they had been before 1872."

† For the history of the passage of this bill see the *Report of the Comptroller of the Currency* for 1876, pp. 170-178; J. L. Laughlin, *History of Bimetallism in the United States*, pp. 95-98 (D. Appleton & Co.); D. K. Watson, *History of American Coinage*, pp. 123-138 (G. P. Putnam's Sons); J. F. Johnson, *Money and Currency*, p. 346; Up-ton, *Money in Politics*, pp. 201-206.

‡ Laughlin questions the statement that the act of 1873 demonetized the silver dollar, as the failure of the act to mention the silver dollar of 412½ grains did not take away "the legal-tender quality of a coin already in existence, but of which no mention was made. Whatever silver dollars there were in existence were still a legal tender to any amount after the act was passed, although no more could be coined. * * * The legal enactment, therefore, which really took away the legal-tender quality of the silver dollar of 412½ grains, was passed June 22, 1874."—*Bimetallism*, pp. 94-95 (D. Appleton & Co.); see also Watson's *American Coinage*, p. 118 *et seq.*

§ Horace White, *Money and Banking*, pp. 213-223; Hepburn, *Contest for Sound Money*, pp. 220, 276-280, 552-554.

* Stanwood says: "As in the House, the protectionists [in the Senate] supported the measure because they felt that there was a political necessity for so doing, the free traders because it tended in their direction and was the best they could get."—*Tariff Controversies*, vol. ii., p. 183; Proctor, *Tariff Acts*, pp. 252-259 for text.

† Proctor, p. 251.

grams troy; the weight of the half-dollar shall be twelve grams (grammes) and one half of a gram (gramme); the quarter-dollar and the dime shall be respectively one-half and one-fifth of the weight of said half-dollar; and said coins shall be a legal tender at their nominal value for any amount not exceeding five dollars in any one payment." Section 17 provided that "no coins, either of gold, silver, or minor coinage, shall hereafter be issued from the mint other than those of the denominations, standards and weights herein set forth."* This law changed the monetary standard from the silver dollar to the gold dollar for it "expressly declared that the gold dollar should be the unit or standard of value."†

Grant's second administration had not been in power long, however, before there was a sharp reversal in the business conditions of the country. Coman says that "in anticipation of universal profits, entrepreneurs borrowed heavily and at high rates of interest to develop iron works and clothing factories, flour mills and abattoirs, mines and oil refineries, without much regard to prospects for disposing of the goods. The inevitable consequences of this speculative spirit were over-production in every branch of industry, a general glut of the

market and a ruinous decline in prices. The reduction of import duties in 1872, and the menace of foreign competition was sufficient to capsize some of these overloaded enterprises. Unable to market their stock at paying prices, many business firms failed to meet their obligations and went into bankruptcy."*

Money gradually became tight. The rate of discount advanced rapidly and continued high until May, but during that month and the month of June the market grew steadier. About September 1, however, requests for accommodations redoubled and money went up to 1½ per cent. per day and very little could be borrowed at any price. Commercial paper sold higher and higher and bank statements grew less favorable.‡

After the downfall of a few smaller concerns the panic broke forth on September 18, when the firm of Jay Cooke & Co. of Philadelphia, announced its suspension, due chiefly to

* *Industrial History of the United States*, p. 280 (edition of 1905, The Macmillan Co.).

† Hyndman says that the crisis of 1873, "though it did not begin in the United States, * * * was largely due to the course of development in that country. * * * It commenced first of all in Vienna at the commencement of the month of May, 1873, but the consequences of the crisis endured up to the autumn of 1879, and directly involved the whole of Austria-Hungary, the German Empire, Italy and Switzerland * * *. The crisis broke out with redoubled force in America, and brought the English, Scandinavian and Russian money-markets as well as the industries of France * * * within its range. * * * The shocks of the great crash were felt at Belgrade and Bucharest, at Odessa, Moscow and Nijni Novgorod, at Alexandria and in South America." — *Commercial Crises*, pp. 100-101.

* *Statutes-at-Large*, vol. xvii., p. 424; Laughlin, *Bimetallism*, pp. 94, 231-232; Watson, *American Coinage*, pp. 114-116; Dunbar, *Currency, Finance and Banking Laws*, pp. 241-243.

‡ Sidney Sherwood, *The History and Theory of Money*, p. 165 (J. B. Lippincott Co.); Linderman, *Money and Legal-Tender*, p. 42, also pp. 47-59.

loans for building railroads advanced on securities upon which they could not realize.* After the failure of Cooke stocks slumped on the exchanges and scores of brokerage houses, banks and banking firms were forced to the wall, among them being Fiske & Hatch, the Union Trust Company, the National Trust Company, the National Bank of the Commonwealth, Sprague, Claflin & Co., and others.

From the 18th to the 20th there was a run on bank deposits and in order to relieve the situation the Secretary of the Treasury purchased \$13,500,000 of the national 5-20 bonds, but this went into the savings banks and Wall Street was not aided save by the moral effect. On September 20 the New York Stock Exchange closed for ten days during which time "legal-tender notes were at a premium of $\frac{1}{4}$ per cent. to 3 per cent. above certified cheques."†

Throughout the panic the bank reserves were below the legal requirement of 25 per cent., at one time reaching 23.55 per cent. The New York Clearing House Association authorized the banks to make their deposits in exchange for which they were given 7 per cent. certificates of deposit to the extent of 70 per cent.

* During 1873 alone 4,190 miles of railroad were constructed in the country, which, at an average cost of \$29,000 per mile represented a total of \$121,500,000. In the last five years \$1,700,000,000 had been expended.—Clement Juglar, *A Brief History of Panics in the United States*. p. 94 (G. P. Putnam's Sons). See also Coman's *Industrial History*, p. 287.

† Juglar, *History of Panics*, p. 95.

of the securities deposited, the total issue of certificates amounting to \$26,565,000. The associated banks also made a common fund of their legal-tenders for mutual aid and protection. The suspension of payment took place first in New York but extended to all the larger cities and lasted until November 1st.*

The panic in the "Street" was of short duration but its effects were apparent in commercial and industrial circles for months. Thousands of commercial and industrial establishments were prostrated and various industries were so completely paralyzed because of the lack of available funds that the wages of hundreds of thousands of laborers were cut off. The largest mercantile establishments were forced to ask for an extension of credit; railroads defaulted in the payment of interest on their bonds; and failure after failure was announced. Between 1873 and 1876 the mercantile failures were \$775,000,000 and the defaults by railways up to January 1, 1879, amounted to \$779,000,000 though \$226,000,000 of this had occurred before the panic in September actually began.† "The number of bankruptcies steadily increased, till in 1878 the appalling total of 10,478 was reached. The industrial depression following on the Wall Street panic was even more fatal to productive industries. The sum of the failure of these six years aggre-

* *Ibid*, pp. 96-97.

† Dewey, *Financial History*, pp. 370-372; Hyndman, *Commercial Crises*, pp. 115-120.

gated 47,000 and the money loss \$1,200,909,754. It is estimated that three million men were thrown out of employment by the closing down of business enterprises.”*

The Coinage Act of 1873 has been charged with the financial panic and commercial disasters of 1873 but this is absurd. Laughlin says that “a law which made no changes in the actual metallic standard in use, and which had been in use thus for more than twenty years, had produced [could not produce] a financial disaster in seven months.”† Watson says‡ that “neither public sentiment or business had demanded the coinage of silver dollars, while the amount of our subsidiary coinage had not been large for many years,|| and gold had by common consent been the standard in this country since the Act of 1853, if not since the Act of 1834.” Watson says the reason for the omission of any mention of the 412½ grain dollar was that “it had not been in use for many years because there had been no demand for it, and as the bullion in it was worth three or four per cent. more than the bullion in a gold dollar, it was sold for bullion or exported and thus kept from circulation.”§

* Coman's *Industrial History*, p. 288 (edition of 1905).

† *Bimetallism*, p. 93 (D. Appleton & Co.)

‡ *American Coinage*, p. 117.

§ Laughlin says only \$1,439,457 of the 412½ grain dollars had been coined up to 1873 and those before 1806. See also Upton, *Money in Politics*, pp. 197-201.

§ *American Coinage*, p. 116. See also Upton, pp. 247-251; Wildman, *Money Inflation*, p. 173; Linderman, *Money and Legal Tender*, p. 43.

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Furthermore the omission of the silver dollar was not generally noticed until the price of silver bullion began to fall, though the fact that the bill would drop the coinage of the dollar was repeatedly called to the attention of Congress.*

On the contrary, the acts of 1873 and 1874 were of great importance and influence in that had they not been enacted “we should have found ourselves in 1876 with a single silver standard, and the resumption of specie payments on January 1, 1879, would have been in silver, not in gold; and 15 per cent. of all our contracts and existing obligations would have been repudiated. The act of 1873 was a piece of good fortune.”†

The country now looked to Congress for relief in the financial situation. When that body assembled in December, 1873, many bills suggesting remedies were presented to the Senate all of which went to the Committee on Finance. On December 15 the majority of the Committee presented a resolution calling for the resumption of specie payments, and Ferry, of Michigan, introduced another the intent of which was to inflate the country with more paper money. For nearly four months the Senate debated these questions. In the meantime Secretary of the Treasury Richardson had determined to make up the deficiency in the revenues caused by the September

* Knox, *United States Notes*, p. 150; Upton, p. 206.

† Laughlin, *Bimetallism*, p. 93 (D. Appleton & Co.)

panic and to provide for the current expenditures by raising several millions of the greenback "reserve." This succeeded so well that he continued to reissue these greenbacks until the total had reached \$26,000,000 on January 10, 1874, and the total outstanding amounted to \$382,000,000. But Richardson's action was considered illegal by some and the debate in the Senate was largely devoted to the proper method and the amount that could be legally issued.

Sherman, head of the Finance Committee, then introduced a bill fixing the maximum amount of greenbacks at \$382,000,000, in this way endeavoring to legalize the action of Richardson. But the extreme inflationists fought for a further reissue of \$18,000,000 and finally succeeded in amending Sherman's bill. The Senate on April 6, 1874, therefore passed this \$400,000,000 bill by a vote of 29 to 24 and on the 14th the House also passed it by a vote of 140 to 102. President Grant, however, unexpectedly vetoed the bill on the 22d.* As it failed to pass over his veto it did not become a law.

On June 20, however, the contending factions succeeded in framing a bill that the President approved, the maximum being fixed at the amount

actually in circulation — \$382,000,000. This provided for "a redistribution of bank issues and the substitution for the reserves required on circulation of a 5 per cent. redemption fund to be maintained in the Treasury. It also authorized the retirement of circulation by deposits of legal tenders with the Treasury."*

The country was also treated at this time to an insight into the loose methods in vogue in the treasury department. By an act of May 8, 1872, Congress had authorized the Secretary of the Treasury to employ not more than three persons to unearth and collect taxes that had been evaded or withheld. Richardson, when Assistant Secretary of the Treasury and also when Secretary had employed John D. Sanborn, of Boston, for this purpose, but Richardson exceeded the provisions of the act by agreeing to pay Sanborn a moiety of 50 per cent. on all moneys collected.† Sanborn collected \$427,000 and therefore received \$213,500 before the practice was stopped. The House appointed a committee to investigate the matter and on May 4, 1874, this committee reported that Richardson and two of his subordinates should be severely condemned, but before the House could take action Richardson resigned as did also the Assistant Secretary and the Solicitor of the Treasury. In the

* Noyes, *American Finance*, pp. 18-20; Dewey, *Financial History*, pp. 361-362; Bolles, *Financial History*, vol. iii., p. 284 *et seq.*; Horace White, *Money and Banking*, p. 195; Sherman's *Recollections*, vol. i., pp. 488-505; Richardson, *Messages and Papers*, vol. vii., pp. 268-271. For Sherman's attitude on resumption see Burton's *Sherman*, pp. 226-243.

* *Statutes-at-Large*, vol. xviii., p. 124; Hepburn, *Contest for Sound Money*, pp. 223, 556-559; Bolles, vol. iii., p. 280; Dunbar, *Currency, Finance and Banking Laws*, pp. 210-214.

† *House Ex. Doc.* No. 132, 43d Congress, 1st session.

light of this resolution Congress passed two acts which were approved by the President June 22, 1874, one abolishing the contract system and the other repealing moieties.*

These disclosures, together with the *Crédit Mobilier* scandal, the failure of the Republican reconstruction policy and various other actions on the part of government officials, including the President, impaired the confidence which the country had in the Republican government. The elections indicated the country's sentiment. In 1873 Ohio and Wisconsin elected Democratic governors and the Republican majorities in Iowa, Illinois, Kansas and Minnesota were reduced. In 1874 the Democrats again carried Ohio and also Indiana and Pennsylvania, beside which Democratic governors were elected in New York by 50,000 and in Massachusetts by 7,000 votes. In addition the Republicans lost their majority in the next House, which contained 168 Democrats, 14 Liberals and Independents and 107 Republicans.

It was therefore determined to push through Congress an act for the resumption of specie payments before the political complexion of that body changed (which would be on March 4, 1875). President Grant in his annual message of December 7, 1874,† earnestly pleaded for such legislation. Consequently when Congress met in December, 1874, Senator Sherman im-

mediately drafted a bill with that object in view. He reported the bill to the Senate December 21, 1874, and the Senate passed it the following day by a vote of 32 to 12. The House passed it January 7, 1875, by a vote of 136 to 98 and the President signed it January 14.* This bill provided for free banking, but as fast as national bank notes were issued greenbacks were to be withdrawn in the proportion of \$80 to \$100 until the outstanding amount should be reduced to \$300,000,000. Provision was also made for resuming specie payments on January 1, 1879, by authorizing the Secretary of the Treasury to use the surplus specie in the treasury and if necessary to sell bonds of the classes authorized under the act of July 14, 1870, in order to accumulate gold.‡ It also provided for the removal of the charge for coinage of gold and for the circulation of silver coin in place of the paper fractional currency. Silver coin then began to take the place of fractional currency.‡

The policy of increasing the revenues was also discussed during the re-

* Richardson, *Messages and Papers*, vol. vii., pp. 314-316.

† Greenbacks outstanding in December, 1874, amounted to \$382,000,000, fractional notes to \$46,000,000, and national bank-notes to \$347,000,000, a total of \$775,000,000. Horace White, *Money and Banking*, p. 196.

‡ Bolles, *Financial History*, vol. iii., p. 290 *et seq.*; Sherman's *Recollections*, vol. i., pp. 547-618; Dewey, *Financial History*, pp. 372-374; Noyes, *American Finance*, pp. 21-28; Laughlin, *Bimetallism*, p. 90; Watson, *American Coinage*, pp. 139-145; Burton's *Sherman*, pp. 243-251; Hepburn, *Contest for Sound Money*, pp. 224-225, 559-561; *Statutes-at-Large*, vol. xviii.; Dunbar, *Currency, Finance and Banking Laws*, p. 214.

* Hoar's *Autobiography*, vol. i., pp. 325-328; Bolles, *Financial History*, vol. iii., pp. 425-432.

† Richardson, *Messages and Papers*, vol. vii., pp. 285-287.

mainder of the Forty-third Congress, because the repeal of taxes by previous Congresses had brought about a deficiency in the treasury. Therefore, to protect the sinking fund and provide for the exigencies of the government, an act was passed and approved March 3, 1875. This act repealed the provisions for a reduction of 10 per cent. in certain custom duties under the act of June 6, 1872. It raised the duties on sugar and several other articles and increased the tax on tobacco from 20 to 24 cents per pound and on spirits from 70 to 90 cents per gallon.*

The resumption act provided for the payment and destruction of the fractional currency then in circulation to the amount of \$40,000,000 and the substitution of silver coins. It then became necessary to provide for the coinage of the fractional silver coins, and on March 2, 1876, Mr. Randall, of the House Committee on Appropriations, reported a bill entitled "A bill to provide for a deficiency in the Printing and Engraving Bureau, and for the issue of the silver coin of the United States in the place of the fractional currency." The bill passed the House March 31, 1876, by a vote of 123 to 100, but was amended in the Senate. The third section of the House bill provided for "the coinage of the silver dollar, of the weight of 412.8 grains troy, standard silver, and made that dollar a legal tender at its nominal value, to an amount not ex-

ceeding twenty dollars in any one payment, except for customs duties and interest on the public debt, and that the 'trade dollar' should not, thereafter, be legal coin." The Senate struck out this section. The bill became law April 17, 1876.* The second section provided:

"That the Secretary of the Treasury is hereby directed to issue silver coins of the United States of the denominations of ten, twenty, twenty-five and fifty cents of standard value, in redemption of an equal amount of fractional currency, whether the same be now in the Treasury awaiting redemption or whenever it may be presented for redemption; and the Secretary of the Treasury may * * * provide for such redemption and issue by substitution * * * until the whole amount of fractional currency outstanding shall be redeemed. And the fractional currency redeemed under this act shall be held to be a part of the sinking fund provided for by existing law * * *."

Mr. Frost, of Massachusetts, on May 1, 1876, introduced in the House a resolution to expedite the issue of minor coin and the retirement of fractional currency. This passed the House June 10, and was amended in the Senate, passing that body June 21, and went to a conference committee. Both Houses then passed the resolution and it was approved by the President July 22.† It provided:

"That the Secretary of the Treasury * * * may issue the silver coin at any time in the treasury to an amount not exceeding ten million dollars, in exchange for any equal amount of legal

* Laughlin, *Bimetallism*, pp. 91-233; Hepburn, *Contest for Sound Money*, p. 562; Watson, *American Coinage*, pp. 201-207. The latter tells the final fate of the "trade dollar."

† Laughlin, *Bimetallism*, pp. 91, 233-234; *Statutes-at-Large*, vol. xix., p. 215; Hepburn, *Contest for Sound Money*, pp. 562-563; Watson, *American Coinage*, pp. 235-236.

* Taussig, *Tariff History*, pp. 190-191; Stanwood, *Tariff Controversies*, vol. ii., p. 187 et seq.; Proctor, *Tariff Acts*, p. 267.

tender notes; and the notes so received in exchange shall be kept as a special fund * * * and be reissued only upon the retirement and destruction of a like sum of fractional currency * * *; and said fractional currency when so substituted shall be destroyed and held as part of the sinking fund, as provided in the act approved April seventeen, Eighteen Hundred and Seventy-six."

The act provided that the amount of subsidiary coin authorized should not exceed \$50,000,000 and also that "the trade dollar shall not hereafter be a legal tender and the Secretary of the Treasury is hereby authorized to limit from time to time the coinage thereof to such an amount as he may deem sufficient to meet the export demand for the same."*

In the spring of 1875 Congress also pushed through the last of its measures in connection with the reconstruction. This was the much debated Civil Rights bill which had been before Congress for five years, and which, as we have seen in chapter VII, Sumner had failed to force through the Senate. Before Sumner died in March, 1874, he pledged E. R. Hoar to take care of this "pet" measure, but when in 1875 the bill came up for consideration Hoar's enemy, Benjamin F. Butler, actually had charge of the measure until its final passage. The harsh features of the bill were softened and it was "reduced to a guarantee to equal rights to the blacks in hotels, public conveyances, and places of amusement and a prohibition of their exclusion from juries." The bill became a law, March 1, 1875.†

In the meanwhile affairs in the western section of the country had assumed a serious aspect. The peace policy inaugurated by President Grant toward the Indians had not resulted as its friends had hoped. The agents appointed to look after the Indians had too frequently proven unscrupulous in their dealings with the "red men," and the latter in their anger became hostile toward all whites.

In 1864, 768,000 acres of land in southern Oregon had been set aside for a reservation for the Modoc Indians. Some of the tribe settled there willingly, but others, under Captain Jack, though they finally went to the reservation, remained sullen. Trouble arose between the Modocs and other Indians and the Modocs went on the warpath. Late in 1872 the Indians killed eleven whites, and troops were sent to drive them back to the reservation. In January, 1873, a sharp engagement between the troops and the Indians occurred, the latter being strongly intrenched in the lava beds. As the troops could not dislodge them a peace commission was appointed to confer with them. After a conference the Modocs on March 3 agreed to surrender their arms and return home. But the next day the Indians reversed their previous decision and rejected all overtures. Another peace commis-

Sumner, vol. iv., p. 580 *et seq.*, 598; *Storey's Sumner*, pp. 426-430; *McPherson, Handbook of Politics*, 1876, pp. 5-12. Sections 1 and 2 of this bill were declared unconstitutional by the Supreme Court October 3, 1883.—109 *United States Supreme Court Reports*, 3; *McPherson, Handbook of Politics*, 1884, pp. 80-86.

* *Sherman, Recollections*, vol. i., pp. 538-546.

† *Dunning, Reconstruction*, p. 255; *Pierce's*

sion was then appointed, consisting of General E. R. S. Canby, Rev. Mr. Thomas and others, but they had no more influence than the first commission, and finally, on April 11, while engaged in council with the Indians, Canby and Thomas were treacherously murdered.

The war was now vigorously pushed and before June 1 the Indians were driven from the lava beds and completely subdued. Captain Jack and several of his accomplices in the murder were captured in July, were tried by court-martial in August and hung at Fort Klamath, Oregon, October 3.*

The West was now comparatively quiet and remained so for some time, but soon the Sioux Indians exhibited signs of restlessness. These Indians occupied a region lying in the then territories of Dakota and Wyoming and known as the Black Hills. General Custer had been sent there with a force of troops to report upon the general state of affairs. In addition to reporting upon Indian affairs, Custer also reported that the country was remarkably rich in flora and minerals. Prospecting miners soon appeared there and aroused the suspicions and jealousy of the Sioux. Finally Congress determined to take away from the Indians that portion of their reservation which lay in Dakota.

In the spring of 1875 the government sent the geologist Mr. Jenny to

make a survey of the Black Hills region and gave him six companies of cavalry and two of infantry as an escort. This aroused the fury of the Indians and they prepared for war; and after a strong military force had been sent into the Yellowstone region in 1876 they broke out.

In the attempt to subdue them it was decided to hem them in from three sides by a simultaneous movement of three bodies of troops — one from the Department of the Platte, under General Crook, moving north; one from Montana, under General Gibbon, moving east; and the third in two divisions from Dakota, commanded by General Terry, under whom was General George A. Custer, both moving west. General Crook was ordered to scout the Black Hills and drive any Indians found there toward Gibbon, Custer and Terry; General Gibbon was to move down the valley of the Yellowstone to prevent the Indians from escaping northward; while General Custer was to push across from the Missouri to the Yellowstone and drive the Indians into the hands of Crook, Terry, or Gibbon. Terry in the meantime was to push forward from Dakota so as to join the others near the Yellowstone. Thus the various commanders would converge on one point and corner the Indians in a place from which they could not escape.

The troops moved rapidly and the scouts reported that the Indians were falling into the net prepared for them. They were believed to be in great force

* Nelson A. Miles, *Personal Recollections*, pp. 152-155; Schofield, *Forty-Six Years in the Army*, pp. 435-437; Andrews, *Last Quarter-Century*, vol. i., pp. 169-181.

near the waters of the Big Horn, Little Big Horn, Powder, Tongue and Rosebud Rivers (tributaries of the Yellowstone) and the troops began to maneuver so as to shut them in tight. On June 17 Crook on the south was attacked by a superior force under Crazy Horse and compelled to retreat, but Terry and Gibbon succeeded in joining forces at the mouth of the Rosebud without coming into contact with the Indians.

It was now ascertained that the Indians under Sitting Bull, 5,000 to 6,000 strong, were encamped in the vicinity of the Little Big Horn. Terry sent Gibbon and Custer against them. Gibbon was to follow the northern bank of the Yellowstone until he came to the Big Horn and was then to ascend the river to its headwaters. Custer was to go up the Rosebud River and cross over to the Little Big Horn and descend that to the Big Horn where he was to meet Gibbon. Custer with his cavalry regiment of 600 men in twelve companies was ordered to await Gibbon's arrival before attacking, though he was to use his best judgment as to the latter. Custer arrived at an Indian encampment on the night of June 24 and from the information given him by his scouts supposed that this was a body of 1,200 to 1,500 Pawnees on their way to join Sitting Bull. As he knew that they were preparing to move, Custer resolved to attack early on the morning of the 25th.

The Indians were on a ridge west of the Little Big Horn and Custer di-

vided his small force into three companies, reserving five companies (260 men) under his own command for an attack on the centre. Major Reno, with three companies, was ordered to assail their left (on the south), and Captain Benteen, with three companies, was to make a detour and strike them in the rear on the right, thus cutting off retreat. One company was left to guard the pack train. The Indians discovered the weakness of the attacking force and resolved to exterminate it. When Custer attempted to charge across the river at the main Indian centre, his troops were met with such a galling fire that they abandoned the attempt and began to fight their way up to the top of the ridge to their rear. The Indians then closed in on Custer's rear and cut off retreat and the little band was compelled to fight from the top of the ridge against a horde of savages twenty times their number. Not a white man was left alive and only Curly, the scout, succeeded in escaping; with Custer perished two of his brothers, a brother-in-law, a nephew and several officers besides the troops; and after the battle the bodies of the slain were found to have been horribly mutilated.

Meanwhile the Indians had repulsed Major Reno and forced him to take refuge across the river. Captain Benteen did not reach the scene of the fight, but rejoined Reno at a bluff on the east and there the two held the Indians at bay until reinforcements arrived the next morning. Sitting Bull and his forces then escaped and

though the troops pursued energetically he was not captured until a hard campaign had been fought.*

In 1876 the Centennial Exhibition to celebrate the hundredth anniversary of American independence was held in the city of Philadelphia. At first it was proposed to make this simply a display of the industrial products of the country, but the scope of the exhibition was finally made international and broadened to include arts, manufactures and agricultural products of all nations. Fairmont Park was selected as the site, 236 acres being used for the erection of buildings, of which there were over 200. The principal buildings were the main exhibition building, 1,880 x 464 feet, for manufacturing products, mines and metallurgy, public works, science, education,

etc.; machinery hall, 1,402 x 464 feet; agricultural hall, 820 x 540 feet; memorial hall, 365 x 210 feet, intended to be used as a permanent art gallery; horticultural hall; the United States government building, 504 x 306 feet; the woman's pavilion, covering over an acre; the shoe and leather building; and the carriage building. Nearly all the larger buildings had annexes. In addition 26 States erected separate buildings as did also Great Britain, France, Germany, Austria, Spain, Turkey, Sweden, Brazil, Chili, Japan, Canada, Morocco, Tunis, and natives of Jerusalem. Altogether 49 foreign nations were represented.

The exhibition remained open from May 10 to November 10, but was closed to the public on Sundays. The total number of people admitted was 9,910,966, consisting of 7,250,620 at fifty cents, 753,654 at twenty-five cents, and 1,902,692 free. It was not only a financial success, but also a revelation of the wonderful development of industry, commerce, inventions, and the arts and sciences in America.

The year 1876 was also noted by the admission of a new State into the Union, Colorado being granted statehood and admitted on the 4th of July, in that year.

* Judson E. Walker, *Campaigns of General Custer in the Northwest and the Final Surrender of Sitting Bull*, pp. 28-55; Hamlin Garland, *Custer's Last Fight as Seen by Two Moon*, in *McClure's Magazine*, vol. ii., pp. 443-448 (1898); Elizabeth B. Custer, *Boots and Saddles, or Life in Dakota with General Custer*, p. 261 *et seq.*; Frederick Whittaker, *Complete Life of Gen. George A. Custer*, pp. 529-608; Miles, *Personal Recollections*, pp. 192-211, 283-293; Andrews, *Last Quarter-Century*, vol. i., pp. 186-193; accounts by Captain E. S. Godfrey and General James B. Fry in the *Century Magazine* (January, 1892).

LECTURES *on the* UNITED STATES

WILEY-RINES

SECTION XIX

LECTURES ON THE
UNITED STATES

WILEY RINE





